



Annual Report 2007





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In my introduction to the 2005 report two years ago, I commented on the future of regulation in the digital age, with audio-visual material reaching consumers in a wide variety of rapidly changing ways. I suggested that there is good reason for thinking that, in respect of film and video works, there will remain a continuing demand for supervision but that some nimble adaptations of regulatory regimes may be needed.

Unsurprisingly, these issues continue to be a significant preoccupation across the audio-visual scene; for regulators, for those regulated and as a political and social issue. Among the relevant questions are these:

- is regulation required? And, if so
- what social purposes is it intended to serve?
- what regime is best designed to meet these purposes? And
- how far should this depend on the nature of the material (for example whether it is audio, audio-visual, linear or interactive) or the mode of access or delivery (for example, broadcast, screened in public, accessed at the consumer's initiative, whether by internet or some data storage device, hired or bought, such as a DVD, memory card or game).
- in particular, and looking at the Board's own activities, does there remain a public policy need for, a commercial interest in, and a public expectation of, the enforceable regulation of cinema films, DVDs and video games as the Board now provides?

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regime; that is to say, one providing enforceable classification and consumer information deriving from meticulous and independent prior scrutiny of works against a set of published Guidelines, themselves the product of extensive and repeated public consultation and modification in the light of experience.

Recently attention has focused on the regulation of video games. The Government invited Tanya Byron to look at these and at the internet; and the House of Commons Select Committee on Culture, Media and Sport has established an enquiry with similar scope.

Under the Video Recordings Act 1984, most video games are exempt from regulation. But, putting it broadly, the exemption is lost if to any significant extent a work depicts sexual activity, gross violence or techniques useful in the commission

of crime. Exemption is also lost if a work contains certain sorts of linear material. Works which lose their exemption in this way are regulated by the Board which subjects those submitted to it to detailed consideration and, if appropriate, classification, broadly in line with its approach to cinema films and DVDs. In 2007 the Board took the view that the video game *Manhunt 2* should be refused a certificate, a decision subsequently challenged successfully on appeal.

Currently exempted video games are not regulated, but may be classified under the Pan European Games Information System (PEGI), run from Holland. This is not a system of regulation, but a scheme involving voluntary self labelling of products by its producers. Its classifications, which are expressed in symbols or pictograms, are not legally enforceable and, because of the pan-European character of the scheme, express in an undifferentiated way only the very broad characteristics of the work's content: for example that the work features violent material, without distinguishing its level, character or intensity.

The result is that either (or both) of two classification symbols may be found on video games. There is certainly scope for confusion though opinions may differ on how far this is a serious problem. Our own research shows that the public do not properly understand the PEGI pictograms and many people, including some in the industry itself, appear to understand PEGI's age classifications as being ability ratings rather than a measure of what is appropriate.

In response to this issue, some have argued that all games should be exempted from statutory regulation, whether or not they had strong sexual or violent content. Under this scenario age

classifications would not be legally enforceable and, of course, no game could be banned (save under the general criminal law if, say, it were obscene). It would be surprising, in the light of continuing public and political concern about video games and their possible effects, if the public were to accept this as the appropriate response.

There is another difficulty: it is common for games to include some linear film material which, as the law stands, would require statutory regulation even if the game itself is, or were in future to be, exempt. But, if this film material were also made exempt, a large loophole in the regulation of DVDs would be opened.

The Board has argued that video games should be made subject to statutory regulation in the UK. On the merits, the Board's own view is that:

- there remains a public policy need, both to protect children and society from any harm video games may cause and to provide clear, trusted and independent guidance on content, to maintain statutory, and therefore enforceable, regulation at least of those games which are not currently exempt;
- the current dual system for the classification of video games, with its scope for confusion and uncertainty, does not assist in protecting children or in offering guidance;
- if it were decided to replace the present dual arrangements with a single scheme of enforceable regulation, it would be best to extend the present statutory system administered by the Board to those games which were made no longer exempt.

We therefore warmly welcome the Byron Review's recommendation that the role of the BBFC in

regulating video games should be greatly extended and in particular that:

- all but the most innocuous games should be classified by the BBFC using its robust methodology or extensive gameplay by independent examiners making use of guidelines derived from large scale consultation with the UK public;
- BBFC symbols should appear on all video games;
- the BBFC should have a leading role in dealing with the particular issues raised by online games.

As the Government has confirmed that it will implement the Byron recommendations in full, and as the Board stands ready to administer the new regime, our view is that, with industry support, parents could be given the opportunity to benefit from the unified classification system for games long before the 2010 timetable apparently required for legislation.

This Report gives a full account of the Board's activities, achievements and plans. I should like to record my gratitude to the many people who have over the last year helped our efforts, including those in the industry who have worked with us.

I should also like to thank those members of the public who have given us the benefit of their views. We take these expressions of opinion as important evidence of where we may have got things wrong or, occasionally, right.

More particularly, I am very grateful to:

- Graham Lee, who chairs our Council of Management, and to his colleagues for their essential work on the Board's administration and financial affairs and for their support;

- the members of our standing Advisory Panel on Children's Viewing, which David Simpson ably chairs, and which has again given us wise counsel on matters of special relevance to children;
- the Consultative Council, which I chair, and which brings together a wide range of representatives of relevant interests and expertise and a number of independent members of experience and distinction;
- David Cooke, our Director, for his unflagging energy and enthusiasm in managing and guiding all the Board's work, to his senior management team and to all the staff who undertake most of the examining and other work. It has, once again, been a privilege and pleasure to work with the Board's team for another year.

Finally, I should like to express my thanks to our two Vice Presidents, Lord Taylor of Warwick and Janet Lewis-Jones, my two colleagues on the presidential team. Both were in post when I took up this position and my own job has been made easy by having such able, supportive and agreeable colleagues.

This autumn John and Janet will have completed 10 years as Vice Presidents. Everyone at the Board and, in my view, the public more generally, owes them a debt of gratitude for their meticulous care, good sense, careful discrimination and insight. If, as I believe, the Board's operation has become much sharper over the period of their tenure it owes much to them.



Quentin Thomas May 2008





9 Director's report

The key themes of the past year have been continuing vigilance on issues of harm (especially in relation to children), the continuing importance of communication with the UK public, and the opportunities and challenges presented by digital technology in general and by the internet in particular. All three themes seem set to dominate the year ahead as well.

The Board's decision to refuse to issue a classification certificate to the video game **Manhunt 2** underlined the importance of a 'reject' power in any robust regulatory system. The Board exercises this power with great discretion but uses the leverage it provides to encourage the industry to behave responsibly, for instance by ensuring that marketing materials for '18' rated video games are not targeted at children. **Manhunt 2** represented a significant increase in the extent of sadistic violence in video games, offering players little other than the opportunity to stalk and kill opponents using a staggering variety of weaponry. After extensive examination, involving over 100 hours of gameplay, the Board twice concluded that the game posed a risk of harm, especially to children, which was unacceptable even at '18' (research evidence demonstrates that parents are significantly more lax in relation to controlling access to video games than to DVDs).

The publisher of the game appealed the decision, but in finding in favour of the appellant, the independent Video Appeals Committee (VAC) misdirected itself as to the correct legal test set out in the Video Recordings Act (VRA), wrongly placing a burden on the Board of demonstrating that devastating harm would result if the game were released. The Board noted that, given the height of the proposed threshold, and given the

ethical and practical difficulties involved in researching media effects, such a test would make it virtually impossible to refuse to grant a certificate to any work in the future on VRA grounds alone. The Board therefore sought and was granted judicial review with the result that the VAC was required to reconsider its judgement applying the correct legal test.

Although the reconsideration hearing of the VAC once again upheld the appeal, the Board succeeded in establishing that when deciding whether to grant a video certificate it must have special regard to any non-fanciful risk of harm (including harm to moral development) which may result in the future and is not obliged to prove that such harm was 'probable' or 'devastating' or had been proven in relation to other material in the past.

In taking the unusual step of going to judicial review, the Board demonstrated its determination to preserve its power to intervene in order to protect children, and vulnerable adults, from the harmful effects of some extreme audio-visual material. This power to intervene was a key part of the Board's submissions to both the Byron Review and the Culture, Media and Sport Select Committee inquiry, both of which have been examining the issue of potential harmful content in video games and on the internet. The Board's case in respect to video games is set out in some detail in the President's introduction, and we welcome Government's clear confirmation that it will implement the Byron Review recommendation that all video games will in future carry BBFC classifications, and that BBFC methodology will be used to classify all games of '12' and higher, for both physical product and online games.

The Board was also robust in relation to DVD submissions. The number of works cut as a condition of classification, or as a condition of classification at a particular category, rose to its highest level since 1999. The number of works cut as a condition of classification at 'R18' (for supply only in licensed sex shops) also rose, to a record 27 per cent, as the Board maintained its strong line in refusing to classify pornographic material which was illegal, abusive, non-consensual or otherwise harmful. A short work which consisted of nothing but active promotion of cannabis use was rejected outright.

Vigilance on issues of harm and age appropriateness is also evident in the Board's treatment of a number of blockbuster Hollywood cinema films which had received a PG-13 classification (cautioning parents but allowing unrestricted access for children of any age) in the USA. ***Cloverfield***, ***Disturbia*** and ***I Am Legend*** all featured extended periods of intense violent threat and moments of horror which the Board's large consultation exercises suggest go beyond what most members of the UK public would consider appropriate for children younger than fifteen. In each case, the Board's own judgement was that the films were likely to be disturbing to many younger children – a judgement tested and confirmed by the Advisory Panel on Children's Viewing in respect of ***I Am Legend***, and by the Consultative Council in respect of ***Disturbia***. In each case, the distributor request for a '12A' classification was refused and the films were all classified '15'.

These decisions mark an increasing divergence between the US approach to classification for adolescents and young teenagers, and the position taken by the BBFC in the UK. While the US body,

the industry led MPAA, takes a strict line on issues relating to nudity and sex, the BBFC is significantly more restrictive over violence and horror. Different, but equally significant, points of divergence can also be identified between the standards applied by the various European classification bodies: for example, French and British attitudes to children being exposed to graphic sexual representations are poles apart. Notions of harm and appropriateness remain culturally dependent: that is why all past attempts to develop a pan-European film classification system have fallen at the first hurdle.

This is also why the BBFC puts so much emphasis on consultation with the UK public. All classification decisions are based on criteria set out in published Guidelines which are updated every few years. The current Guidelines, published in 2005, were drafted following consultation with over 11,000 people in the UK. During 2008 we will embark on a new programme of consultation which will lead to the publication of new Guidelines in 2009. The consultation will cover the full range of categories and issues but initial qualitative research has suggested that the public would like us to pay particular attention to the criteria for works at '12A'/'12' (as this is the age at which children begin to have greater control over their own viewing) and to consider a number of issues in particular. These include: the importance of 'psychological impact' as well as visual detail, the treatment of issues such as racism and homophobia, and the usual concerns surrounding violence, horror and bad language.

The consultation will take place in stages. In the first stage, focus groups will discuss the issues in detail and identify any criteria which need to be added or amended. The Board will then produce a

set of draft Guidelines which will be examined by reconvened groups from the first stage. After any necessary further revisions, support for the draft will then be assessed using large scale quantitative research methods.

In recent years, the Board has demonstrated its commitment to utilising new technology in order to provide the best possible service to its key stakeholders: the public, the industry and the enforcement agencies. A number of major developments during 2007 illustrate just how effectively the BBFC is responding to the opportunities and challenges of the digital world. The VRA obliges the Board to maintain an archive containing a copy of every classified work so that it can provide certificates of evidence for use in prosecutions of those caught supplying unclassified works, supplying classified works to persons below the appropriate age, or supplying works classified 'R18' other than in a licensed sex shop. The great majority of this archive is stored on VHS tape, a medium rapidly becoming obsolete. The BBFC has therefore embarked on a major programme of converting its VHS archive into a digital archive. This is a unique and complex undertaking which has involved the development of bespoke computer systems and the establishment of a dedicated digital archive facility outside London. With an archive of approximately 200,000 works, the process is likely to take until 2013 to complete.

The provision of specific content information in addition to the classification has been at the heart of the BBFC's practice for many years and our single line of Consumer Advice (eg 'Contains strong language and bloody violence') is familiar to most through film posters, advertising and DVD packaging. In 2007, the BBFC used the internet to

further develop and enhance its provision of content information. Cinema films and video games submitted for classification since summer 2007 now have 'Extended Classification Information' (ECI) which is published on the main BBFC website (www.bbfc.co.uk). This is a simple explanation, in two or three short paragraphs, of why the work was classified as it was, and includes a straightforward description of the relevant material, and of other material likely to be of interest to a parent looking for guidance before allowing a child to view the work or, indeed, to persons looking for guidance with regard to their own viewing choices. With the introduction of ECI the BBFC now offers parents two tiers of advice alongside the statutory restriction on sales which come with BBFC age restrictive categories.

Detailed information for all video games ('U' to '18'), and for films and DVDs classified 'U' to '12A'/'12', is also a key feature of Parents BBFC (www.pbbfc.co.uk), a new website launched in October 2007 and aimed at providing parents with all the information they need in order to make informed choices about the material they allow their children to view. Operating under the motto 'Parents: you call the shots', this website offers the extra information provided by ECI under the title 'Extended Consumer Advice' in a format specially designed to appeal to busy parents. In its first three months, Parents BBFC achieved over 930,000 hits from over 9,600 unique visitors, purely on the basis of word of mouth and promotion on the BBFC's main website. Parents BBFC sits alongside the well established www.cbbfc.co.uk (aimed at primary school children) and www.sbbfc.co.uk (aimed at students on media or film studies courses) and completes a powerful trio of web based media literacy resources from the BBFC.

The key elements of protection from harm, communicating with the public, and responding to the challenges presented by digital technology (especially the internet) have come together in the development of the BBFC.online scheme. Video works supplied by means of download or streaming over the internet and games played online, step outside the scope of the VRA and, provided the content is not obscene or otherwise in breach of the criminal law, can legally be supplied without any indication of content and without any effective gate-keeping measures in place. Implementation of the EU Audio Visual Media Services Directive will introduce some controls in this area but they will apply only to video on demand services which are 'TV like' in nature, and specifically exclude video games. This is likely to leave the vast majority of video on demand services outside the scope of regulation backed by statute.

Given the advantages for the industry in ensuring that video on demand and online gaming services are supplied with clear and appropriate content information in place, and in a manner which ensures that children are not exposed to inappropriate content or conduct, co-regulation is likely to emerge as an attractive solution. Such schemes combine the advantages of self-regulation with the trust, accountability, effectiveness and concern for civil liberties that comes with independent regulation. The widespread public recognition and trust that BBFC classifications and content advice commands, with both public and industry, convinces us that an effective co-regulation model run by the BBFC can work for mainstream internet video content. Following the recommendations of the Byron

Review, the BBFC will also work with PEGI to ensure that the particular issues posed by online gaming are addressed in a manner appropriate to UK gamers and parents, including through use of BBFC classifications for online games.

Throughout the past year, the BBFC has worked closely with leading video content providers and aggregators (eg video on demand websites) to develop a voluntary scheme which will transfer all the benefits of DVD classification to the online world of video on demand. The scheme is called 'BBFC.online' and operates on a membership basis. Members can request from the BBFC 'online classification certificates' for video material they are intending to sell via streaming or download. If the work has already been classified under the VRA, or is being classified under the VRA, the additional cost is minimal.

Classification gives the member the right to use BBFC symbols and other BBFC materials in specified ways to ensure that potential viewers, and parents of potential child viewers, can make informed decisions about viewing choices. Importantly, the classification information must stay with the content after it has been supplied, for instance by means of an electronic black card (like that displayed before cinema films). Members are also obliged to ensure that appropriate gate-keeping mechanisms are in place to ensure that age restricted material (eg that classified '12', '15', '18') is not supplied to persons below that age.

Our research confirms significant public support for the scheme, for instance a poll of 4,200 adults in the UK revealed that 74 per cent of parents were concerned about downloading a film or

programme without independent guidance on its content or suitability for a particular age group and 91 per cent of parents wanted to see BBFC symbols on films or programmes offered for download.

Given clear public support for the scheme, the BBFC believes that responsible distributors of video content online will embrace BBFC.online as a voluntary co-regulation system which allows them to present their video content to the UK public complete with the symbols, Consumer Advice and effective gate-keeping that they have grown to recognise, understand and trust from the world of cinema and DVD. Both qualitative and quantitative research, and the positive reactions of major content providers and aggregators underpins the BBFC's confidence that BBFC.online will be a success in providing a safe space in which responsible companies can offer well regulated video products to families who want to buy in a well regulated market place. Currently operating on a trial basis, BBFC.online is expected to launch in summer 2008.

Once again, I am very grateful for the guidance and support over the year of the Presidential Team and the Council of Management, and for the stimulating discussions we have had with the Advisory Panel on Children's Viewing and the Consultative Council. As always, the BBFC staff have been a delight to work with and I would like to say a special thanks to colleagues who have contributed so much to the BBFC over the past year.



David Cooke May 2008





The BBFC is accountable to the public, the film industry and Parliament and this Annual Report is a key part of our fulfilment of that requirement. It provides a review of the work of the Board during 2007 as well as information about our financial position. This report can also be found on the Board's main website, and is placed in the libraries of both Houses of Parliament.

Throughout the year members of the Board were interviewed on both radio and television explaining the work of the BBFC and specific classification decisions. In addition to the talks given in educational establishments, outlined in the section on the educational work of the Board, examiners spoke at a wide range of events across the UK, including: taking part in a debate on censorship at the University of St Andrews; addressing the members of the Huntingdon Rotary Club; explaining film classification to councillors from Bury St Edmunds and Exeter; giving a presentation to the psychologists and



In 2007, the BBFC introduced an extended version of Consumer Advice, known as 'Extended Classification Information' (ECI), for every feature film classified



Bee Movie 'U'

psychiatrists of Broadmoor Hospital; speaking at the London Short Film Festival; speaking at a number of video games conferences including, the Virtual Worlds Forum, Game City – Nottingham and the London Games Festival.

Consumer Advice

The BBFC provides Consumer Advice for all works classified which indicates the issues which determined the work's classification. This alerts potential viewers to matters which might concern them or the children in their care (eg sex, violence, bad language). Consumer Advice takes the form of a single sentence which is displayed on the Board's website and, in agreement with the industry, on publicity material for films and packaging for DVDs alongside the BBFC classification.

In 2007, the BBFC introduced an extended version of Consumer Advice, known as 'Extended Classification Information' (ECI), for every feature film classified. This gives a more comprehensive explanation as to why a particular category has been awarded, and details other content likely to be of issue to viewers. ECI is published on the BBFC main website, and a version of this advice also appears on its websites for children and parents.

Letters from the public

The BBFC generally receives few complaints in comparison with other public regulatory bodies. However, one decision made by the BBFC in 2007 provoked the largest response from members of the public we have received for some years. The decision to refuse to classify the video game *Manhunt 2* produced in excess of 700 letters and emails. The decision polarised opinions. Some people accused the BBFC of being no different to



In this year's Report BBFC staff 'recreate' some of their favourite films

» Cinema Paradiso

the Nazis and the Burmese government, corroding human liberties, or of being part of the 'nanny' culture; others believed the BBFC were making a welcome stand against media violence and drawing a much needed line in relation to acceptability of content. The complaints against the decision ranged from the concerned and considered, to the abusive and incoherent. There were campaigns organised by some gaming websites against the decision, and the men's magazine *NUTS*, in its inimitable style, encouraged its readers to protest against the decision by writing in. However, the BBFC also received considerable encouragement and support for this decision. A leader of a scout group, claiming to represent the views of nearly 470 boy scouts and their parents, emailed to show their support for removing the game from sale in the UK.

The BBFC was also the target for a concerted campaign by an anti-smoking group in Liverpool. Their aim is to either remove images of smoking from all films and DVDs classified under '18', or to have all such works classified '18'. The campaign organisers believe this approach will help to reduce the numbers of underage smokers in the UK. Over 700 identical photocopied letters, purportedly from members of the public in Liverpool, were received throughout the summer. However, some of the letters were unsigned or the names and addresses were incomplete.

A response was sent to the headquarters of the group explaining the BBFC's position on smoking, and how their proposed 'blanket' approach would result in some absurd over-classifications, with revered classics like *Casablanca* and *Now Voyager* receiving the same adult-only rating as *Hostel*.

One young man has launched a personal campaign against male nudity in films. He believes that it is on the increase and that the BBFC is more lenient in classifying it than female nudity. He is concerned that the sight of penises in films upsets and causes discomfort to young male cinema goers. However, he seems unconcerned about the reactions of female audience members, and presumably female nudity remains acceptable for these sensitive young men.

One single film, *Beowulf*, attracted the most complaints in 2007. Classified '12A' for violence and sex references, the decision received 53 complaints. The majority of complainants believed that the violence, the horror images, and the sexual references were unsuitable at this category. The 'nudity' of the Angelina Jolie demon-character



also elicited comments. The BBFC judged that the fantasy and mythic setting of the film, combined with the fact that most of the violence occurs off-screen, or is seen fleetingly or in shadows giving the impression that the audience is seeing more than they actually are, enabled the work to be classified at this category. Many parents had taken children younger than 12 to see **Beowulf**, and were directed to our Consumer Advice, Extended Classification Information and our parents website as a useful resource for helping them choose what their children watch.

The issue of violence in films continued to prompt letters to the Board throughout the year. The so-called 'torture porn' genre excited much press attention, and caused concern in some quarters. However, we received very few complaints from the public about these films, and most of those who did complain had not seen them. They were responding to newspaper articles criticising the violence. Likewise, towards the end of year, David Cronenberg's **Eastern Promises** (classified '18') received some media coverage focussing on its violence. However, we received only one complaint about the film and again that person

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The issue of violence in films continued to prompt letters to the Board throughout the year
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was responding to an article in *The Sunday Times*, and had not seen the film herself. This was a highly regarded film, and it would have been indefensible to treat it more harshly than other works in the '18' category.

By contrast, films which did attract significant numbers of complaints for violence, particularly scenes of torture, included the acclaimed dramas **The Last King of Scotland** and **Pan's Labyrinth**. Neither film received adverse press coverage. Both films were classified '15', and dealt seriously with issues of political oppression and human rights violation. The scenes of torture were embedded in the narrative of each work, and illustrated the brutality of the Amin and Franco regimes respectively. The Consumer Advice for each work noted that they contained 'strong violence'. We also received one complaint about the brief torture sequence in the costume drama **Elizabeth – The Golden Age** ('12A').

The UK public has always been sensitive about 'bad language', and different language issues in different works surfaced



» Star Wars

throughout 2007. The children's film *Ratatouille* (classified 'U') attracted six complaints about the use of 'bloody' in the film. Uttered by the villainous restaurant critic character, an exception was made to permit the word (normally unacceptable at 'U') in what was an eagerly-anticipated family appeal film which offered its target audience enormous pleasures. The three uses of 'fuck' in *Run Fatboy Run* at '12A' caused three complaints from parents, while one complaint was received concerning the use of 'cunt' (albeit in written form) in *Atonement*, classified '15'. One woman was shocked and horrified that Judi Dench used the c-word in *Notes on a Scandal* (classified '15'). All issues raised by language in these films were indicated in the accompanying Consumer Advice.

The genre of 'gross-out' comedy, and sex comedies in general, was also an area which attracted comments from the public. *Epic Movie*, classified '12A', received 12 complaints about the level of moderate swearing (repeated use of the White Bitch character name) and sexual references. Eddie Murphy's *Norbit* elicited two emails from parents concerned by the perceived racism and negative attitudes to women in the film. *The Heartbreak Kid* and *Good Luck Chuck*, both classified '15', received three complaints each about the strength of the sex scenes and references, believing them better placed at '18'.

One father accompanying his daughters to the '12A' rated *Because I Said So* was very embarrassed by a discussion in it about orgasms. The discussion formed part of a tender bonding moment between a mother and a daughter. However, he did not want his teenage daughters to know about such things. This is exactly the sort of individual concern which our Extended



The BBFC does not distinguish between homosexual and heterosexual imagery in applying its guidelines



Classification Information seeks to help parents and other viewers to take into account when deciding whether to watch a film.

Cinema trailers and advertisements provoked a significant number of complaints. However, the BBFC has no control over which trailers or advertisements are shown before feature films. Alcohol advertisements shown before films classified below '18', as well as advertisements for drink driving awareness, testicular cancer and sexual health, all resulted in numerous complaints. Four complaints were received about the 'PG' rated trailer for *Juno*, the teenage pregnancy comedy-drama, which was shown in some cinemas before the Disney film, *Enchanted*, because people felt that the subject matter was inappropriate for showing before a Disney film. They were also offended by the finger gesture at the end of the trailer. A 'U' rated advertisement for Dolce and Gabbana wrist watches contained same sex couples embracing and kissing. The BBFC does not distinguish between homosexual and heterosexual imagery in applying its guidelines, even at 'U'. This decision attracted five complaints on the basis that homosexual imagery is unsuitable for very young audiences.





During the year around 12,000 students and teachers in locations as far apart as Penzance, Aberdeen and Belfast took part in 110 workshops focusing on the work of the BBFC



From the opposite view point, we received a number of requests for our classification decisions to be lowered. Shane Meadows' powerful anti-racist drama, ***This is England***, prompted eight impassioned calls for the '18', awarded to it for its combination of very strong, racially abusive language and racially motivated violence, to be reduced to '15'. All believed the film to be of significant educational value in tackling racism, and argued that teenagers should be able to see the film. One of these requests came from a 'skinhead' organisation. The '18' classification given at the end of the year to ***Sweeney Todd – The Demon Barber of Fleet Street*** for strong bloody violence attracted comments from upset teenage fans of Johnny Depp and Tim Burton who were prevented from seeing the film at the cinema. A 'petition' signed by three young girls demanded the film be classified '12A' to allow them to see it.

The BBFC regularly receives correspondence about things over which we have no control. During 2007, we had complaints from disgruntled

cinema patrons about rude box office staff and the high prices of tickets and refreshments. Someone wanted us to repair their broken video player. An elderly correspondent wanted to borrow our copy of a Proms concert. We also received gifts and fan letters for film stars. Aspiring actors have asked if we could get them acting jobs in certain films. We respond carefully to each enquiry, even when we cannot help them.

Media education

The BBFC's Education Team was kept very busy in 2007 with the education officer and examiners responding to an increase in requests from schools, colleges and universities for their services. During the year around 12,000 students and teachers in locations as far apart as Penzance, Aberdeen and Belfast took part in 110 workshops focusing on the work of the BBFC. Some of the highlights included events specifically for primary school aged children at UK film festivals, such as 'Cinemagic' in Belfast and 'Showcomotion' in Sheffield. The team also hosted in-depth study days for older students on the classification of films such as ***Disturbia***, ***Peeping Tom*** and ***Dear Wendy*** in schools and as part of education events and film festivals held at independent cinemas around the UK.

Film Education's annual National Schools Film Week saw an increased involvement for the BBFC, with the education team hosting 33 events nationwide, including seven events aimed specifically at primary school audiences. With virtually every event a sell-out, the team found themselves hosting screenings and workshops for over 6,000 students in the space of just two weeks. This year's selection of films included ***Half-Nelson***, ***Severance***, ***Little Miss Sunshine*** and ***Monster House***.

In 2007, the education team continued to host their in-house seminars at the BBFC's central London offices. Twenty five seminars were held for media and film studies students from across the UK, with later events in the year very much enhanced by the installation of a smartboard display and teaching tool in the BBFC's seminar room. However, with the education team now stretched to capacity, plans to further increase the availability of BBFC education resources across the UK in 2008 include access to an online version of the in-house seminar.

As in recent years, the education team also took part in teacher only education events, hosting INSET workshops at the British Film Institute's Media Education Conference and at the newly formed Media Education Association's first conference. Research and development into the DVD Resource for teachers that was started in partnership with Film Education in 2006 continued last year with the finished article now scheduled to be made available to teachers in the latter half of 2008. Meanwhile, for teachers looking for an introduction to the work of the BBFC for themselves and their students, they need look no further than the mini-documentary produced in conjunction with Teachers TV that will be aired on their digital television channel and website from early 2008.

Online education

Throughout 2007, the BBFC has managed to maintain a strong online education presence with the well established sites, Children's BBFC ('cbbfc') and Students BBFC ('sbbfc') attracting in excess of 1.3 million and 2.5 million hits respectively – significant increases on the figures for the previous year. Whilst younger pupils and their teachers have continued to find cbbfc a



➤ Tea with Mussolini

useful and fun filled introduction to the topic of film classification, students focusing on media and film studies have had access to an even greater array of information on the subject of film, DVD and video game regulation in the shape of case studies and in-depth articles on 'sbbfc' – all written by BBFC examiners. Plans for 2008 include the addition of downloadable podcasts on a host of relevant issues for older students and provision of an access point on both sites for budding film critics to enter their work into Film Education's much respected Young Film Critics of the Year Competition.

However, the most significant online event in 2007 for the education team was the launch of Parents BBFC – the new website aimed primarily at parents of younger children. The site provides detailed content information on all the latest 'U', 'PG' and '12A' films; related DVDs and video games rated from 'U' all the way to '18'. Launched in October of last year, the site had attracted almost a million hits by the end of 2007 and looks set to become a standard port of call for those parents trying to make informed decisions about films, DVDs and video games for their younger children.



Research

Two major pieces of research, commissioned in 2006, were published by the Board during 2007.

Video Games: Research to improve understanding of what players enjoy about video games, and to explain their preferences for particular games (CraggRossDawson), is a unique attempt to explore the pleasures as well as concerns associated with video gaming. The issue of 'interactivity' and the role it plays in relation to the experience and effect of playing a violent video game is clearly very complex, and will not be resolved through a single, small scale piece of research, but this was a revealing first step. A number of gamers in the BBFC research describe a sense of emotional detachment as a result of the need to keep consciously interacting (ie keep working the controls) to prevent the game from stopping. But others describe interactivity as creating a deep sense of involvement which surpasses that achieved by film or books.



Because many parents do not play video games they are consequently less likely to monitor or control their children's access to age restricted games



The research confirms the Board's view that there is significant public concern about the possible harmful effects of violent video games. Although most gamers reject the simplistic view that playing games makes a person violent, others cite specific personal experiences of increased aggression resulting from game playing and this concern is shared by some industry professionals. The researchers themselves note that the degree of concern about violence appears to be affected by a number of factors: how gory and realistic it looks, the degree of detail depicted in close up, and how it is related to game play, especially the extent to which it seems to be a focus of attention in itself as opposed to a means of progressing towards a larger objective in the game. Clearly some of the key elements noted by the researchers can only properly be taken into account by a regulatory process, like that of the BBFC, which places extensive gameplay at the heart of its process of determination.

The research also suggests that many parents are ignorant of the content of modern video games and have not yet fully taken on board the need to protect younger children from violent '18' rated games in the manner that they do for violent '18' rated DVDs or pornographic 'R18' rated DVDs. To many parents 'video games' are still essentially electronic toys and evoke memories of the original *Space Invaders*, *Pong* and *Sonic the Hedgehog* type games. Because many parents do not play video games they are unaware of the development of games such as *Manhunt*, *The Punisher* or *50 Cent: Bulletproof* and are consequently less likely to monitor or control their children's access to age restricted games.



» Reservoir Dogs

Audiences and Receptions of Sexual Violence in Contemporary Cinema was new and substantive qualitative research commissioned from Professor Martin Barker of the University of Aberystwyth. This new study followed on from a 2002 study by Dr Guy Cumberbatch which had focussed on the views of a demographically balanced sample in relation to what adults in general should be allowed to view. As such, the 2002 study revealed the extent of public concern over what impact certain films might have on other people, and relied upon assumptions about how these 'other people' might experience or respond to the films. The research did not reveal, or seek to reveal, the actual responses of the people who actively choose to watch such films.

To explore the issue further, the BBFC commissioned qualitative research designed to investigate the ways in which naturally occurring audiences understand and respond to five films – ***A Ma Soeur, Baise-Moi, The House on the Edge of the Park, Ichi the Killer***, and

Irreversible – chosen because the BBFC had been exercised over their inclusion of scenes of sexual violence. The central issues for the project were to find ways to explore: how audiences' understanding and response to the films were affected by the existence of different versions of the films, and the impact of the cuts required for four of the films; how audiences use the idea of 'context' as they make sense of the scenes of sexual violence; and how, in particular, audiences who respond positively to the films are understanding these scenes.

The report makes extremely interesting reading and underlines the complexity of the issue. The research was not designed to offer simple policy solutions to the BBFC and has, quite rightly, studiously avoided doing so. Nevertheless, the research offers some clear and valuable insights into the ways in which real audiences understand and respond to scenes of sexual violence in contemporary cinema and the BBFC is currently considering the implications of its findings for future classification decisions.

A number of other research projects were undertaken in 2007. Two involved seeking advice from a range of experts (including forensic psychiatrists, forensic psychologists, criminal defence barristers and sociologists) on material found in works submitted for 'R18' classification about which the Board had serious concerns on grounds of harm, and which were consequently cut as a condition of classification. Both pieces of research confirmed that the Board's approach was broadly correct and informed the training of examiners.

Other research studies were focussed on technological developments. A small qualitative study looked at parental awareness and understanding of the online capabilities of many console games, and investigated how these might best be brought to the attention of parents. At the start of the year, a large scale quantitative study by TNS examined public expectations and requirements with respect to video on demand services and found that 91 per cent of parents wanted BBFC classifications to be carried on films and programmes supplied via download. A scheme to provide exactly that service (BBFC.online) was later market tested in a series of focus groups with very positive results.

Finally, as the year ended, and as both the Byron Review and the Culture, Media and Sport Select Committee focussed on the issue of regulation of video games, the BBFC commissioned qualitative research on the relative merits of the BBFC and PEGI classification and content advice systems. This research, published in January 2008, revealed a clear public preference for the BBFC system.

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The BBFC's research has revealed a great deal of concern about films being offered for download without independent content advice

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BBFC.online

Internet based video on demand (VOD) services are rapidly becoming a mainstream means of accessing the full range of material currently classified by the BBFC on DVD. Legal advice suggests that the Video Recordings Act (VRA) does not cover material supplied via download or streaming over the internet, so VOD services can supply video works without any classification and without any age restrictions. This applies not only to material passed 'U' or 'PG' for DVD release but also to '18' rated horror films such as *Hostel* and *Saw*. Selling a DVD of *Hostel* to a child is a criminal offence under the VRA; selling a download of the same film to the same child is not.

The BBFC's research has revealed a great deal of concern about films being offered for download without independent content advice and has identified an overwhelming desire (91 per cent of parents) to see the BBFC classification system, so familiar from the world of cinema and DVD, carried over into the world of internet VOD services. Without such an easy, reliable and trusted guide to film content, parents are likely to struggle to exercise effective control over their





children's viewing, risking exactly the sort of harm that the VRA was designed to prevent in the medium of video and DVD.

For much internet content, co-regulation is likely to emerge as an attractive alternative to self-regulation. Such schemes combine the advantages of self-regulation with the trust, accountability, effectiveness and concern for civil liberties that comes with independent regulation. Although there is much ground to be made up, the BBFC is convinced that an effective co-regulation model can work for mainstream internet video content. To that end, the BBFC has been working with leading video content providers and aggregators, including Disney, Warner Bros, Sony Pictures, 20th Century Fox, Tartan, Arts Alliance Media, Entertainment UK, BT Vision, Tesco and others to develop a voluntary scheme, overseen by the BBFC, which will transfer all the benefits of DVD classification to the online world of video on demand.

The scheme is called 'BBFC.online' and operates on a membership basis, with the annual membership fee set at a maximum of £900. Members can ask the BBFC to supply 'online classification certificates' for video material they are intending to sell via streaming or download. If the work has already been classified under the VRA, or is being classified under the VRA, the additional cost is minimal. New works submitted by a scheme member for classification under the VRA are eligible to receive an online classification free of charge. Online classifications can also be provided for works previously classified under the VRA for a fee of just £45 per title.

On classification, the member is sent an 'electronic' black card which they are obliged to



► School of Rock

place at the front of the content file so that when the consumer plays the video, the first thing they see is the BBFC black card, just as they do in the cinema. Members are also obliged to ensure that appropriate gate-keeping mechanisms are in place to ensure that age restricted material (eg that classified '12', '15' or '18') is not sold to persons below that age. Members who are aggregators (ie the website operators) are obliged to display category and Consumer Advice information in a manner prescribed by the scheme, and using materials provided by the BBFC. In most cases this will involve display of the appropriate BBFC symbol next to the title of the work being offered. Moving the computer mouse over the symbol brings up a hover box 'white card' certificate certifying that the work has been classified by the BBFC for supply via download, streaming or similar, displaying the symbol with its definition, the unique Consumer Advice for that work, and featuring a live link to the relevant classification record on the BBFC's own website.

Compliance with the scheme rules will be monitored by the BBFC (funded by the membership and classification fees). Failure to comply with the scheme rules could ultimately



Respondents – regardless of their age, or gender, whether in manual work or professional employment, whether a parent or free young and single – all expressed resounding support for the BBFC.online scheme



lead to expulsion from the scheme and the loss of the right to display the BBFC's intellectual property (classification symbols, white card design, black card on content file).

The scheme was developed in response to both industry concerns about the possible consequences of stepping outside the well regulated world of DVD, and public concerns about unregulated content being offered on video on demand websites. The particular design of the BBFC.online scheme was subjected to qualitative research in the final quarter of 2007. Focus groups across the various demographic groups were invited to look at a mock website with the BBFC.online white card and black card elements in place, to compare it with live video on demand websites in the UK and the USA, and to discuss their information and gate-keeping needs with regard to such services. The results were uniformly positive. Respondents – regardless of

their age, or gender, whether in manual work or professional employment, whether a parent or not – all expressed resounding support for the BBFC.online scheme. Respondents were dismayed at the idea of downloadable films being offered without a BBFC classification; liked the way in which the scheme presented content information through use of familiar symbols, iconography and Consumer Advice; and trusted the BBFC as a source of such information. Asked whether they were more likely to use a site which was a member of the BBFC.online scheme there was a clear affirmative response. It was also clear that there was some incredulity at the fact that the law allowed the sale of films via download without any requirement for classification or effective gate-keeping – many assumed that the companies involved would have to follow the same procedure as for DVD.

The BBFC.online scheme has been designed to include video games as well as linear video material. Video games which are offered via download, or which are played online, can also apply for online certificates. As with games being supplied on discs, the BBFC will classify the game on the basis of extensive gameplay by independent examiners, and publishers will be obliged to display BBFC classification information and content advice in the prescribed manner and to limit access in accordance with any age restrictions set by the classification.

Given clear public support for the scheme, the BBFC believes that responsible distributors of video content online will embrace BBFC.online as a voluntary co-regulation system which allows them to present their video content to the UK public complete with the symbols, Consumer Advice and effective gate-keeping that they have

grown to recognise, understand and trust from the world of cinema and DVD. Both qualitative and quantitative research, and the positive reactions of major content providers and aggregators underpins the BBFC's confidence that BBFC.online will be a success in providing a safe space in which responsible companies can offer video products to families who want to buy in a well regulated market place.

The BBFC.online scheme is currently being trialled with major content providers and aggregators. The BBFC's internal procedures and software have been redesigned to allow the scheme to operate smoothly and in a manner which takes into account the needs of both scheme members and the public. Consultation on the scheme design nears its conclusion and the BBFC hopes to officially launch the scheme in the summer of 2008.

Information technology

The BBFC has started the major project to secure the statutory archive of some 160,000 hours of material stored on VHS tape. With the increasing difficulty of obtaining VCRs, the BBFC faced the inevitable problem that the material would eventually become inaccessible. To ensure that the material remains available indefinitely the BBFC will create a digital copy of the original analogue source. This copy of the original will be held in a secure, encrypted, form and be accessible only within the BBFC.

This is a substantial investment for the BBFC, involving a large number of computer systems, automated tape libraries and other technologies. This equipment places significant demands on services such as power and air conditioning as well as requiring significant amounts of space.

The decision was therefore taken to seek additional space in a separate location. The new location is out of London to reduce pressure on existing office space and reduce other costs. This is the first time in the history of the BBFC that it has operated across more than one location.

During the last quarter of 2007 additional premises were secured in Bracknell to house the digitisation equipment and staff. The building is within a business park with 24x7 security and surveillance. It enjoys excellent communication links for both people and data and is within walking distance of all local facilities.





The corporate website now typically receives in excess of five million hits per month from over 100,000 unique visitors



The BBFC is confident that this location offers the best balance between facilities and cost that could reasonably be found.

The building is being equipped with the most up to date server room environment to house the digital archive equipment. The environment will be closely monitored and a range of intrusion and fire detection systems will be in place to minimise risk.

Acknowledging the need to minimise power consumption within large server installations a number of measures are being taken to help limit the impact of the new systems. The large majority of the data will be on new digital tape rather than spinning disc, which greatly reduces power demands. The equipment will be set to power down when not actively in use along with similar simple, but important measures. One, still slightly novel, measure will be to run the server room at the same temperature as the general office rather than chilling it well below the ambient temperature.

The ingest process will be run by operators handling several streams of VHS material simultaneously. The operation will run a shift

system to deliver the level of throughput required to digitise the large archive in a reasonable time. Each VHS tape will be converted to a digital version at an equivalent quality to the original and a low resolution, browse, copy made at the same time.

Once a VHS tape has been converted to a standard digital format the original tape will be moved to a deep archive. These deep stored tapes will be retained indefinitely while the digital version will become the working copy for BBFC operational use.

The digital master copy will be stored on digital tapes in an automated tape library. These tapes will be encrypted and a backup copy removed to safe storage. Any requirement for the master copy will be met by copying from tape to disc and then transmitting the copy over a secure network link to the London office. The digital master copy will be used by the BBFC to compare against newly submitted work, seized material and for other regulatory functions. Currently the process of retrieval involves the physical transfer of VHS tapes from an external vault, taking up to three days. Retrieving the digital version will take a few minutes. The low resolution copy will be automatically copied to the London office as it is created. This copy will then be continuously available for reference through integration with the current workflow system.

The availability of a second site will bring additional business continuity benefits to the BBFC. Once the digitisation process is in full operation the new site will become the key to yet more resilient IT services. There are early, but ambitious, plans to make the second site a fully resilient backup site for the core business services.



The development of a more 'self service' oriented approach, exemplified by BBFC.online, requires that the BBFC is in a position to deliver those services regardless of outside events. The location is sufficiently remote from the Soho office to ensure that power, data, transport and other services are completely segregated. Taken together with sound procedures it will now be possible for the BBFC to approach 24x7 service availability, even if one of the sites is completely unavailable. To put this in context the current availability levels achieved exceed 99.95 per cent, with power failures being the main cause of system downtime.

The availability of the public corporate website and the customer private extranet are of ever greater importance. The corporate website now typically receives in excess of five million hits per month from over 100,000 unique visitors. The customer extranet is used by companies accounting for more than 95 per cent of all the BBFC's revenue and has reached all the customers for whom it is appropriate.

The value of the extranet has recently been greatly increased for those customers choosing to join the BBFC.online system of regulation. The extranet provides the customers with the facility to generate all the necessary information and symbols for previously classified works without any involvement from the BBFC. This self service facility has enabled the BBFC to keep the costs low and the delivery rapid.

One of the more unusual tasks of the BBFC IT department is to technically assess each video game submission prior to examination to ensure it runs, is stable, is complete and includes tools such as cheat codes to enable the game to be

sampled in a typical viewing. This last year has seen a steadying of submissions in this area but nevertheless far higher than in most previous years. The games assessment is unique and detailed and requires a high level of gaming and IT skills plus interaction with customers in this complex and ever changing medium.

Within the BBFC the more traditional IT services continue to develop incrementally, in particular our bespoke system for processing the work, the Classification Information System (CIS), continues to evolve where new features are identified and implemented. A recurring theme is the need to simplify and standardise services wherever possible. This keeps costs under control and makes enforcement of best security and reliability practice possible.

2008 is planned to be a year of both continuity and change. There will major infrastructure changes reflecting new server and network hardware. These changes are very much to support the 'back office' process with lower cost, better performing and even more reliable systems. Internal software systems will continue to evolve to meet changing business needs of which BBFC.online is just the most important of many core services.

Enforcement

Under the terms of the Video Recordings Act it is illegal to supply a work on DVD or any other video format in the UK unless it is exempt from classification. In 2007 the Board continued to provide support to Trading Standards and police officers by issuing Certificates of Evidence in respect of seized works. A total of 486 cases (8,673 titles) were dealt with by the Board, of which 174 cases (963 titles) were seized media



»» The Usual Suspects

and 312 cases (7,710 titles) were title-only enquiries. These figures, which represent a 34 per cent decrease in seized cases and a 10 per cent decrease in title-only cases since 2006, reflect the first full year of the Board's revised, lower limits for submissions per case. This was brought in to provide greater efficiency in the issuing of evidence and which, alongside additional enhancements to the process, has resulted in improved turnaround times since June 2007 of 70 per cent for seized cases and 77 per cent for title-only enquiries.

Customer helpline

The Board handled 4,198 helpline calls and answered 1,642 helpline emails in 2007 (as against 7,471 calls and 1,428 emails the previous year). The majority of these enquiries related to work-in-progress updates, with other calls and emails ranging from questions about the submission procedure and the classification Guidelines to technical and accounts enquiries. Further assistance can be found by way of the extranet service, which continues to provide customers with information relating to the progress of their submissions.

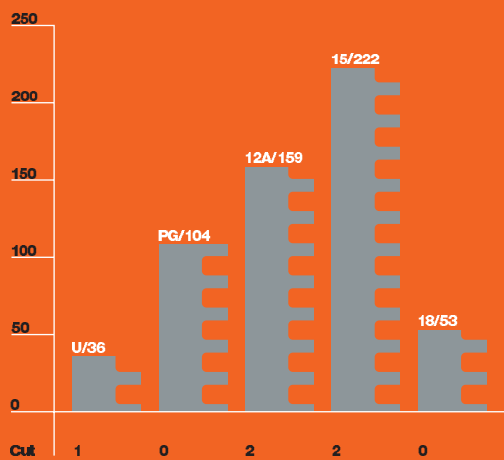
Recycling

BBFC staff continued to do their bit to save the planet by recycling at work. To encourage them to do so a 'Greener BBFC' panel was set up and at the end of the year there was a presentation to all staff to highlight what had been achieved. Staff were also asked to contribute ideas on how to take the 'Greener BBFC' forward into 2008.

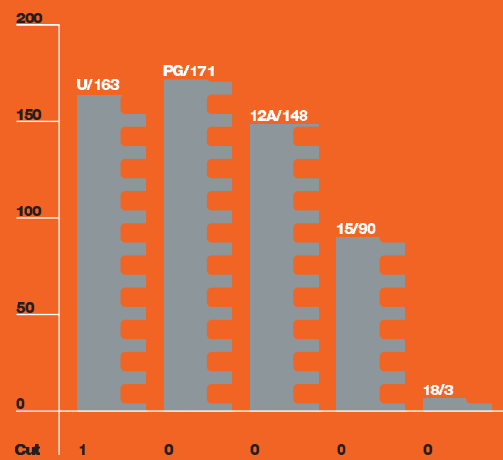
2007 saw the plastic cups for the water filter machines replaced by reusable drinking glasses. This small step has saved an estimated half a tonne per person from going to landfill. Projects begun in 2006, such as more recycling bins in office areas; recycling of incoming media packaging; and recycling to raise money for charities with stamps and inkjet cartridges; continued in 2007. Staff commitment proved that 'one small thing x lots of people = a big difference'.

In 2008 we are looking to reduce the number of office bins with a view to recycling more items as well as the implementation of other 'green' projects.

Film total - 574



Film trailers - 575

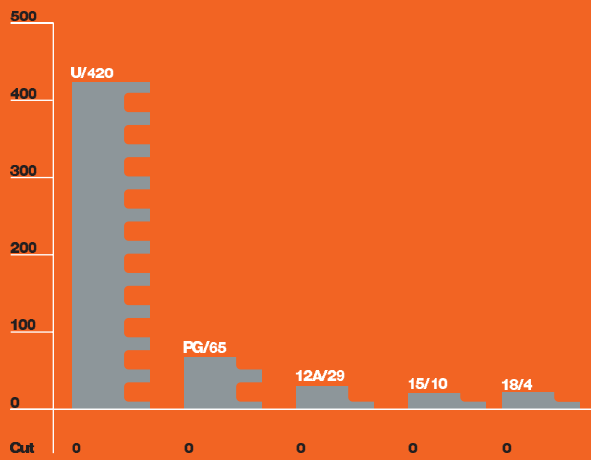


Film statistics 1997 - 2007

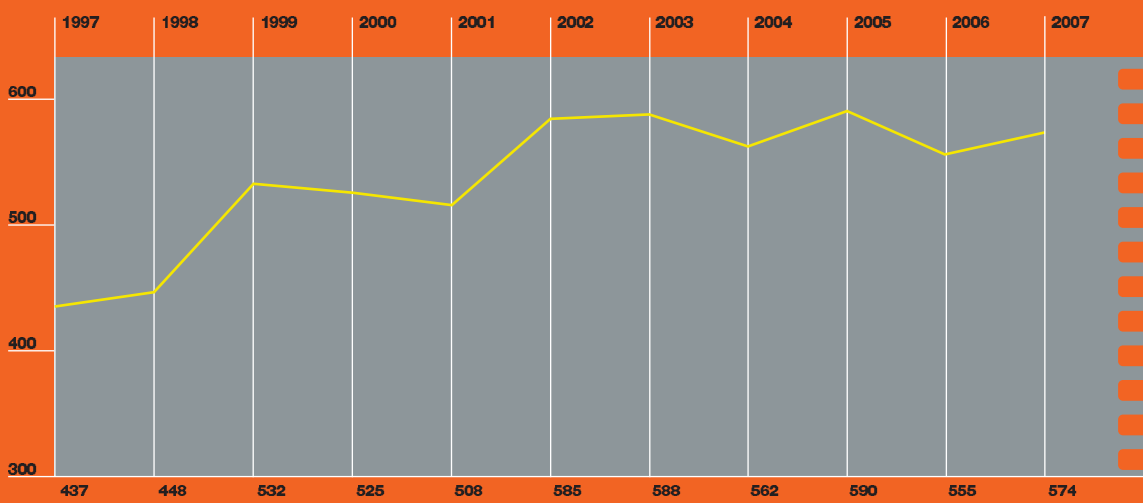
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
U	38	56	65	61	43	71	61	41	43	53	36
PG	113	109	121	112	121	142	132	102	100	92	104
12	60	40	72	88	107	122					
12A							152	148	153	160	159
15	134	174	192	174	174	201	188	222	219	198	222
18	92	69	73	85	59	48	56	49	54	52	53
R18							1		1		

Inc 12A

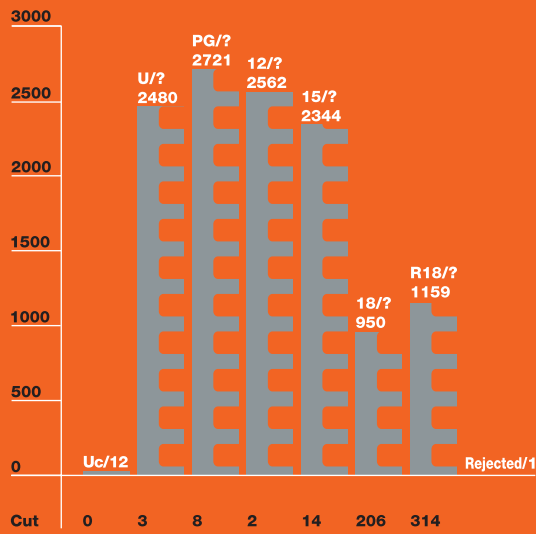
Cinema advertisements - 528



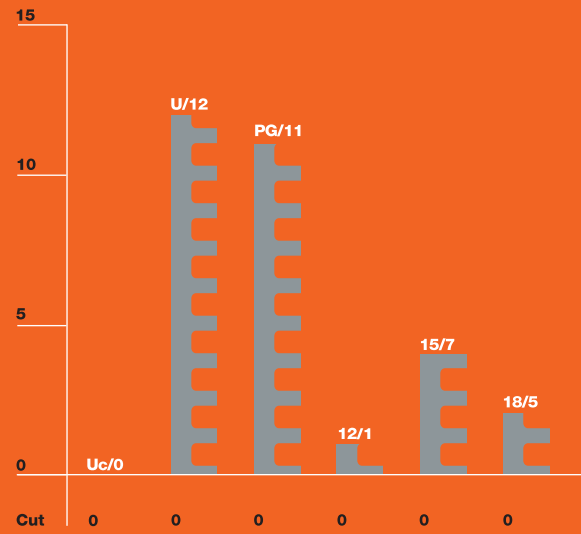
Film submissions 1997 - 2007



DVD total - 12,229



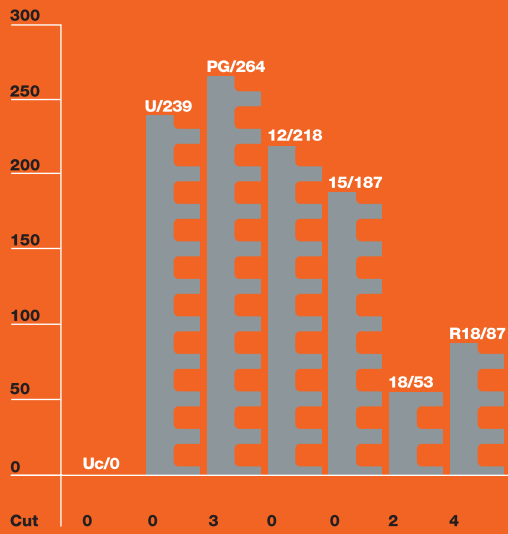
DVD advertisements - 36



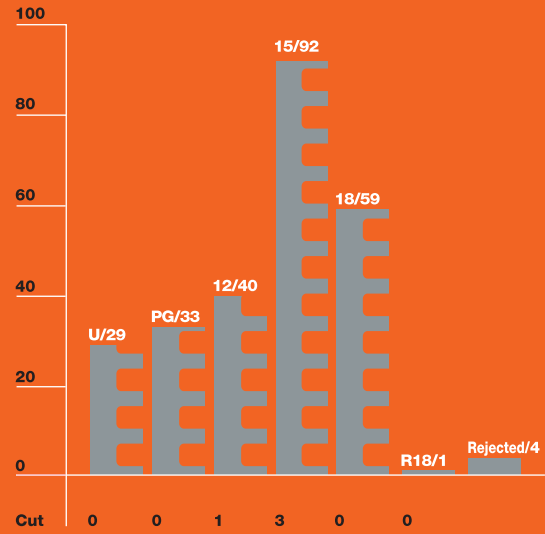
Video/DVD statistics 1997 - 2007

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Uc	143	111	150	125	152	121	152	119	65	66	12
U	711	900	975	1354	1471	1807	2084	2534	3104	3009	2480
PG	669	1090	1091	1590	1826	2014	2280	2485	3380	4101	2721
12	297	415	457	813	859	1155	1685	1677	2273	2808	2562
15	544	656	899	1244	1322	1721	2244	2113	2669	2889	2344
18	878	1090	1067	986	1059	1008	980	870	1133	1031	950
R18	32	42	29	212	651	1061	1405	1387	1237	1217	1159
Rejected	5	4	9	4	1	2	3	2	7	1	1

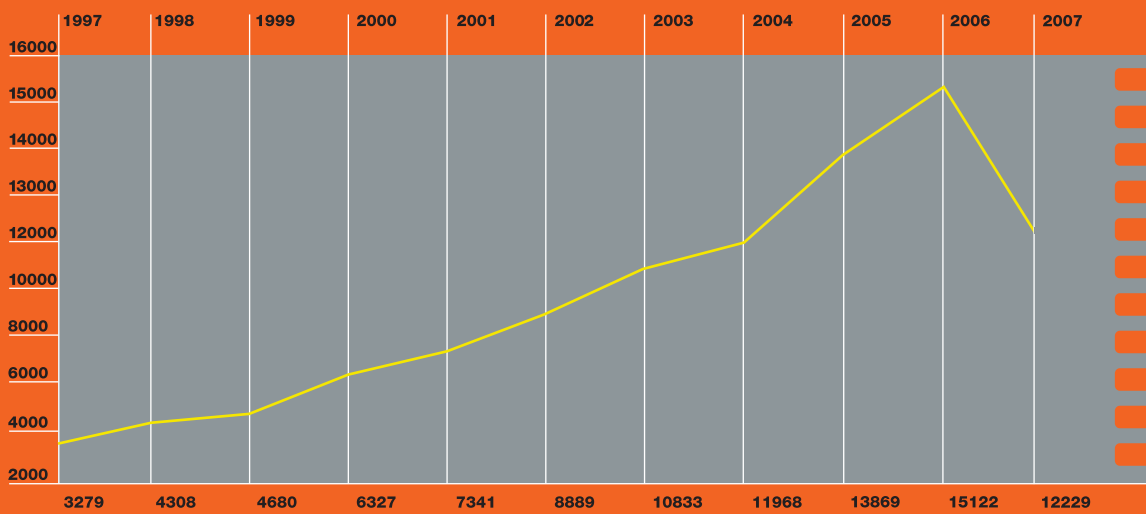
DVD trailers - 1,048

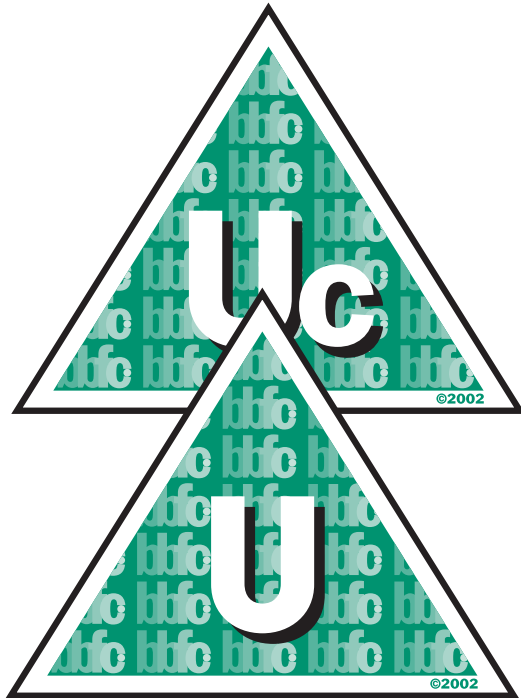


Games and other interactive - 258



Video/DVD submissions 1997 - 2007





**'U' Universal
– suitable for all**



» Thunderbirds (the original)

The majority of films passed 'U' in 2007 fell into three categories – films specifically aimed at children, documentaries and vintage films submitted for a modern classification. Of the children's films, **Bee Movie** had the distinction of being the only children's film at 'U' to require intervention during 2007. This popular animated comedy from Dreamworks contained a scene in which the hero, a bee called Barry, is sprayed with household air freshener from an aerosol can, which is then ignited to form a makeshift flame-thrower. The BBFC continues to carefully monitor all material in the junior categories for any activity that might look attractive, but that could result in serious harm if copied. The film was released with the aerosol replaced by a harmless shower-head.

Shrek The Third, the continuing adventures of this friendly ogre and his companions, offered the sight of the Queen head butting her way through two brick walls in order to escape from a dungeon, but examiners felt that this was unlikely to inspire children to copy what is clearly a painful activity. The same judgement was made about a scene in **Alvin and the Chipmunks** in which Alvin is discovered merrily taking a shower in a dishwasher, before he is sternly ordered to get out. The fact that he was told off for the activity meant that the risk of imitation was felt to be negligible. However, a DVD bonus compilation for **Meet The Robinsons** contained a deleted scene in which an animated robot character sticks his fingers into a wall socket, gleefully crying: 'Wall socket!' and suffers no ill consequences. This risky playing with electricity, made to look like fun, was removed for a 'U'.

One of the major releases of the year, **Ratatouille**, an animated comedy about a culinary genius who happens to be a rat, highlighted the issue of language. A restaurant critic refers to "this bloody town" whilst dining out. The use of 'bloody' at 'U' raises questions about what language is appropriate at this category, and the BBFC is sensitive to the fact that adults have concerns about swearing in children's films and DVDs. The sole and passing use of the word 'bloody' by a rather forbidding character was passed at 'U', with clear warning in the Consumer Advice of 'mild language'. In a similar vein, one muttered passing use of the word 'crap' occurs in the romantic comedy **Penelope**, a fantasy tale of a girl cursed with a pig's snout. Likewise flagged up in the Consumer Advice, the word is likely to be missed by most of the audience. The BBFC attempts to strike a balance between keeping even mild bad language to a minimum in a 'U' film, and moving into the 'PG' category what are essentially wholesome and benign children's films which belong at 'U'.

Some works present a challenge to this balancing act. **The New Adventures of Robin Hood**, an Australian animated series for children, submitted for DVD release, contained five uses of the expletive 'bleedin'. Such a quantity of bad language clearly took the DVD to the 'PG' category, so the distributor chose to remove the swearing to secure a 'U'.

The introduction of Extended Classification Information on the BBFC main website as well as the website specifically for parents – www.pbffc.co.uk – has made it easier for parents and other concerned adults to access detailed information about the content of films. And at the

'U' category such details will set out clearly both language and other issues that might help in the choice of suitable viewing for the young, placing the decision in the hands of those most likely to know the child.

2007 produced a sizeable crop of 'U' documentaries, on subjects ranging from global warming, coffee production and base jumping, to the films of Humphrey Jennings. Documentaries illustrate the fact that 'U' stands for Universal and that not all 'U' rated films are made specifically for children, or are likely to appeal to them. The 'U' category does, however, mean that the films should contain nothing likely to upset a young child.

Generally the genre did not produce any challenges at 'U', although **Shadow of the Moon**, a fascinating and educational look at moon landings, contained footage of a charred test module in the aftermath of a fire in which astronauts had perished, and brief sight of Bobby Kennedy as he lay dying. However, in both cases, the lack of detail and discretion in treatment meant that these images were unlikely to upset the audience for a 'U' film.

Wildlife documentaries can produce classification problems in the shape of 'nature red in tooth and claw', as animals do what comes naturally and attack and devour one another. *A National Geographic* documentary, **Arctic Tale**, follows the fortunes of a polar bear and a young walrus surviving in a hostile environment. Details of killings and blood are missing from this children's film which keeps scary or sad moments to a minimum, allowing for an uncontentious 'U'.

BBFC Guidelines allow serious themes to be handled at any category, provided that the treatment is appropriate. In the case of ***Finest Hour – Films by Humphrey Jennings***, a 1943 black and white docudrama, ***The Silent Village***, was given a 'U' because of the restraint in the treatment of the subject matter and the distancing effect derived from the age of the film. This propaganda film about the imagined Nazi occupation of a Welsh village contains the sight of corpses of villagers shot by the Nazis, and the sound of executions which take place off-screen. The violence never goes beyond very mild.

A few difficult issues arose from the old and classic films submitted during the year for a modern classification. Some of them had been classified at 'A' before the modern category system was in place. This group included old favourites like the Capra Christmas classic ***It's A Wonderful Life***, and the Gene Kelly musical ***On The Town***, both entirely appropriate at 'U'.

The Dam Busters, first classified 'U' in 1955, tells the story of Barnes Wallis's development of the 'bouncing bomb' designed to destroy German dams in the Second World War. The hero is RAF pilot Wing Commander Guy Gibson, who owns a dog named Nigger (as he did in real life). The name was common for black dogs during the 1940s and no racist slur was intended. However, increased sensitivity to issues of race led to a consideration of whether any kind of intervention was warranted. Examiners concluded that given the context, the age of the film, and most importantly, the non-racist intentions of the filmmaker, it was sensible to leave this film intact at its original 'U'. However, other uses of the word 'nigger' have certainly required intervention,



» Donnie Darko

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A few difficult issues arose from the old and classic films submitted during the year for a modern classification
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given its high (and increasing) offensiveness, and this sensitive area is to be given further consideration and consultation before the next BBFC Guidelines are published.

A similar consideration arose when ***The Jazz Singer***, classified 'U' on film in 1928, and subsequently 'U' on video, was submitted for a DVD release. Al Jolson is seen 'in blackface' as he performs on stage. This 'blacking up' is a stage convention rather than an attempt to ridicule or





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There is always a tension in public information type advertisements between the need to inform, and the need to protect

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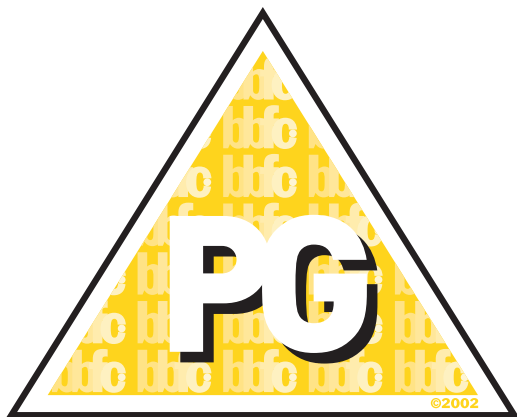
offend, and reflects the age of the film and the mores of its time. The BBFC does not want to take heavy-handed action against films that are so old that they can almost be regarded as historical records, and given the benign intentions and context in this case, examiners felt that a 'U' would suffice. Again, more recent works involving 'blacking up' have attracted higher classifications.

Two of Bette Davis films submitted for a modern certificate presented few problems. Images of the sick and dying in a yellow fever epidemic were tactfully handled in *Jezebel*, and the matter of smoking by characters in a 'U' film was given some thought in the case of *All About Eve*, in which the glamorous star and others smoke as a matter of course. BBFC policy on smoking in children's films considers whether the film as a whole glamorises or promotes smoking, and whether the film has significant appeal to children. Given the film's clear lack of interest to children, examiners felt that it was safe to convert the original 'A' classification to a modern 'U'.

The highest volume of complaints about a 'U' classification was generated by a 'one-off' advertisement which sought to raise awareness of the plight of Madeleine McCann, as part of the campaign to locate the missing child. This contained a reference to child abduction, and when it was shown before children's films, including *Shrek The Third*, some parents felt that it was inappropriate at 'U' because of its subject matter. There is always a tension in public information type advertisements between the need to inform the widest possible audience, and the need to protect the young. In this instance, the BBFC felt that there was nothing in the information or the presentation that would alarm children, but parents were naturally very sensitive about the tone of the advertisement. The area of public information advertisements is due for further public consultation before the publication of the revised BBFC Guidelines.



➤ The Shawshank Redemption



**‘PG’ Parental Guidance –
general viewing, but some
scenes may be unsuitable for
young children**



► The Rocky Horror Picture Show

The ‘PG’ category presents more challenging and complex material that is considered to be appropriate for most children aged around eight or older. Tone and treatment are, however, critical in presenting more serious themes in a ‘PG’ film. In 2007, interesting and more unusual themes included abortion, HIV/AIDS, bereavement, dyslexia and racism.

We Are Together is an uplifting documentary in Zulu and English, about a 12 year old girl and her friends in a South African orphanage. The children live under the shadow of HIV/AIDS, so there are some emotionally upsetting scenes, including one in which a person dies of AIDS. These scenes were considered acceptable at ‘PG’, given that they were sensitively handled, and the Consumer Advice: ‘Contains sight of terminally ill people and bereavement theme’, was carefully worded to highlight the film’s issues to parents.

The theme of dyslexia featured in ***Taare Zameen Par – Every Child Is Special***, a subtitled Hindi film. A confused eight year old is helped by his boarding school teacher, who is determined to find out why he is so unhappy. There are naturally some distressing scenes, as the boy suffers from bullying and isolation as a result of his dyslexia. The film’s restrained treatment of the subject, and ultimate positive ending, secured the ‘PG’ category.

Jesus Camp, a documentary about several children who attend a summer camp run by American evangelical Christians, also showed scenes of children in emotional distress, as a result of being intimidated by the ‘fire and brimstone’ teachings of their elders. These scenes, along with a lecture on abortion, resulted

in the film being placed in the 'PG' category, with the Consumer Advice: 'Contains emotionally intense scenes and discussion of abortion', indicating to parents the contents of the documentary.

The theme of racism and use of racist language (three uses of the word 'nigger') in an episode of the 1970s American TV series **Little House on the Prairie** caused some debate amongst examiners. There were strong arguments for 'PG' as well as '12', but the ultimate consensus was for the former category, because the racist attitudes of one character were clearly disapproved of by others, and the uses of the word were non-aggressive. It was, however, decided that it would be necessary to flag the issue in the Consumer Advice ('Contains strong racist language'), as racism and racist language can be offensive to viewers, irrespective of context. Racism is one of the issues that will be examined in greater detail during the next Guidelines Review.

Language is an issue that the Board takes very seriously, given its potential for offence. An episode from the 1960s American sitcom **Bewitched**, which is usually passed at 'U', was raised to 'PG' because of two uses of the word 'tossot'. The word is used in countries, including the US, to describe someone who is drunk. However, examiners were concerned that a UK audience might take it to refer to the act of masturbation, even though the word is used in the context of consuming alcohol. The advisory 'PG' was therefore considered more appropriate.

The remake of the John Waters' musical **Hairspray** was one of the popular films of 2007. Various issues were considered to determine the

most suitable category, including use of the word 'spastic'. This is not normally permitted at 'PG', but given the context and period setting, the remark, directed at a character on the TV screen, was thought to have a lesser degree of offence than were the word used in a contemporary setting. Also, one character begins to say the word 'whore', which turns into 'holy moly' when the speaker realises she is being overheard.



Language is an issue that the Board takes very seriously, given its potential for offence



The issue of nudity at 'PG' arose in several works, including **Naturism Is Fun**, a travelogue DVD aimed at naturists that contains scenes of natural nudity lacking any sexual context. There were no images of naked children or teenagers that would have raised concerns. As natural nudity with no sexual context is permitted at 'PG' under the Guidelines, the work was passed at this category. **Golden Door**, a subtitled Italian drama about early twentieth century Italian immigrants in America, also featured scenes of natural nudity. There is a brief scene when some men undergo a medical examination. The second one occurs when women are seen, again briefly, in the showers and the focus is on their wonderment at seeing showers for the first time. The Consumer Advice for both works mentions the natural nudity.

The Simpsons Movie generated two letters of complaint from members of the public who thought that sight of Bart Simpson's penis should not be allowed at 'PG', as it might encourage 'perverts' and 'underage sex'. Cartoon character Bart does skateboard naked through town as part of a game of 'dare', but his penis is in fact always obscured by one object or another, including a French fry that is strategically held up by Ned Flanders as he says grace.

The Guidelines at 'PG' state that 'sexual activity may be implied, but should be discreet and infrequent. Mild sex references and innuendo only'. A sex scene in the period drama **The Illusionist** is portrayed by much intertwining of bare limbs in close up shots, but it is very discreetly presented in a romantic, loving context, and lacks detail.

In another example of sex at 'PG', a theatrical advertisement for M & M chocolates shows M & M characters playing a game of strip poker and saying "get your kit off" and "I don't want to show my peanut off in public". Given the sexual context of strip poker, and that advertisements come unbidden to a cinema audience, it was felt that the advertisement would be more appropriate at the advisory 'PG', rather than the 'U' category that the distributor had requested.

The issue of violence is taken seriously at the Board, particularly at the junior categories. **The Golden Compass**, the long-awaited screen adaptation of the Phillip Pullman trilogy set in a fantasy world, contains some scenes of moderate violence, including the intense fight between armoured polar bears and the climactic battle sequence. These were felt to be sufficiently

lacking in detail and contextualised by the fantasy setting for the film to be passed 'PG'. Only five letters were received from members of the public, with four complaining about the level of violence, in particular the polar bear fight.

Moderate violence, again supported by a clearly fantastical context and setting, was the key issue in the fantasy film **4 – Rise of the Silver Surfer**, the sequel to **Fantastic Four**, based on *Marvel Comic* superhero characters. In one scene, we see a General blasted back by the energy force of the villain, Doom, leaving half his body blown away like ash, and his remains are briefly seen in a kneeling position. The infrequency of these scenes was another factor in the film's classification at 'PG'.

At 'PG', 'jump moments' and scary scenes are permissible, but sequences of significant and realistic violence, horror or threat should not be prolonged. The intensity of some of the action scenes in **The Spiderwick Chronicles**, a fantasy film based on the children's books, was well balanced by moments of calm. There is also a clear sense of family support for the main character, Jared, and a reassuring ending. The scenes are in some ways similar to those in the earlier 'PG' level **Harry Potter** films, and children who have read the books will be aware of what is to come.

IMAX films, particularly in 3D, can be a thrilling, but also an intense experience for younger children. **Sea Monsters – A Prehistoric Adventure** follows the fictional story of a dinosaur as she battles for survival. A scene in which the sea monster, a thirty foot mosasaur, grabs a shark by its jaws was thought to have potential to scare a



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The issue of violence is taken seriously at the Board, particularly at the junior categories.

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younger audience, hence the advisory category with Consumer Advice: 'Contains mildly scary scenes'.

Imitable techniques have always been high on the list of concerns at the Board, and those that come across as safe or fun are unlikely to be acceptable at 'PG'. In **Tony Hawk In Boom Boom Sabotage**, a CG animated film featuring skateboarder Tony Hawk, compulsory cuts were made to scenes showing child characters lighting and throwing fireworks at other people. It was felt that a younger audience might identify with and copy these child characters, while the activity was also presented as fun and exciting, with little indication of the dangerous consequences.

Fatty Finn, an Australian children's drama, was classified 'PG' because of scenes depicting breath-holding and finger cutting. These were considered to be potentially imitable, but after further viewings and discussion, it was decided that they could be contained at 'PG', with Consumer Advice warning 'Contains mild violence and harmful behaviour which could be copied'.



» The Man With Two Brains

The issue of drugs came up in very few 'PG' works in 2007. One episode of the US sci-fi series **Stargate Infinity** was passed 'PG' because of a character's addiction to some kind of steroid effect produced by a stone. Even though the stone was not, strictly speaking, a drug, the addiction and process of going 'cold turkey', and an appropriate anti-drugs message running throughout the episode, was felt to be more appropriate at the advisory category.





**'12A' cinema '12'video –
suitable for 12 years and over**



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Although the BBFC considers films given the '12A' category to be suitable for children over the age of 12, parents and carers may take younger children to see these films at the cinema if they consider them appropriate.

Many blockbusters aimed at a family audience are placed at '12A' and 2007 was no exception, with ***Harry Potter and the Order of the Phoenix*** and ***Spider-Man 3*** both finding their natural home here, and containing what was occasionally strong violence and threat, but in settings which were clearly fantastical, involving magic and superheroes. The fantasy setting was also a key reason why the animated feature ***Beowulf***, an adaptation of the Old English poem, was containable at this category.

However, no '12A' film is suitable for very young children and parents are encouraged to use the Consumer Advice and Extended Classification Information the BBFC provides to aid them in choosing their child's viewing. International espionage thriller ***The Bourne Ultimatum***, for example, contained a number of fight sequences and in the Extended Classification Information stated that 'although the violence is sometimes impactful, it is lacking in detail... in one scene we see a man being shot, resulting in a spray of blood. However, the shot is extremely brief and seen from a distance'. Detail such as this is useful when trying to gauge whether a film is suitable viewing for a particular child.

One of the basic principles set out in the BBFC Guidelines is that, 'works should be allowed to reach the widest audience that is appropriate for their theme and treatment'. This was particularly relevant to the classification of ***The Kite Runner***

at '12A', a drama set in Afghanistan about the friendship between two boys. Much of the impetus for the film's narrative comes from the rape of one of the boys. It was felt that this difficult topic was handled very sensitively, with the rape only being implied. This is entirely in keeping with the Guidelines at '12A' which state that, 'sexual violence may only be implied or briefly and discreetly indicated' and this delicate treatment of a difficult issue was deemed acceptable for a '12A' audience.

Another key issue at '12A' in 2007 was bad language, such as that found in the British romantic comedy **Run Fatboy Run**, where one aggressive use of strong language was removed to achieve the '12A' certificate. American comedy **Juno**, about a pregnant teenager, also contained some strong language, but this was permissible at '12A' because it was used in an exclamatory way, not directed at anyone and not delivered with aggression. This film also contained some moderate sex references, felt to be in line with what viewers of 12 and above might be expected to know already, and with a clear educational message about the risks of underage sex.

The underlying message of the film was also an important factor in the decision to award the Adam Sandler comedy **I Now Pronounce You Chuck and Larry** a '12A' certificate. This feature is about two straight men who pretend to be a gay couple. While some homophobic attitudes are voiced in the film, the work as a whole promotes acceptance and it was felt that young teenagers would understand this approach.

Reclassifications on film in 2007 included the Hammer Horror **Dracula**, starring Christopher

Lee and Peter Cushing. It was cut for an 'X' certificate on its original release in 1958 but is now containable uncut at '12A', as is the 1987 Patrick Swayze hit, **Dirty Dancing**, originally classified '15' on film before the '12A' certificate existed.

On DVD, Wim Wenders' **Paris, Texas** was also reclassified down to '12' from '15' now that the single use of strong language and very discreet peep show scene are consistent with current '12' Guidelines.

Other notable decisions in the '12' category on DVD during the year included **Witchfinder**, a drama-documentary about 17th Century witch hunts, which contained a prolonged scene of execution by hanging. This was considered acceptable for 12 year olds as it was clear that hanging was dangerous if imitated, and shown in a clearly historical context and without too much grisly detail for viewers of this age to be disturbed by.

Compulsory cuts on DVD at '12' are rare but were required to remove a scene of cockfighting from an episode of American action series **Walker: Texas Ranger** in keeping with the BBFC's interpretation of the Cinematograph Films (Animals) Act 1937.

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Many blockbusters aimed at a family audience are placed at '12A'
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'15' – suitable for 15 years and over



Shaun of the Dead

The '15' category is by far the largest category for cinema films. As with the more junior categories, it is a wide classification category. The BBFC's Guidelines on violence and horror at '15' state that: 'Violence may be strong but may not dwell on the infliction of pain or injury. Scenes of sexual violence must be discreet and brief [...]. The strongest gory images are unlikely to be acceptable'.

The violence in the British crime thriller ***Sugarhouse*** sat at the top end of the category. Two scenes were particularly strong. In the first a character hooked his fingers into another's bloody nose and in the second there was a large spurt of blood from a man's head as he was shot. However, the violence did not 'dwell on the infliction of pain or injury'. Nor was there sufficient detail to breach the BBFC's Guideline concern about 'the strongest gory images'.

Another film in which violence was the determining classification issue, and which put the work towards the upper end of the '15' category, was the thriller about police and drug dealers in 1980s New York, ***We Own the Night***. The violence did not breach the BBFC's '15' Guidelines, because it neither dwelt on the infliction of pain and injury nor glamorised it. Although occasional moments of violence were strong, violent detail was both passing and incidental. More generally, however, the film did not present violence as an exciting spectacle. Violence was carried out by unappealing characters and portrayed as the unpleasant but inevitable side effect of a brutal and unpleasant way of life, devoid of glamour or excitement. The intention behind the inclusion of brief strong violent images seemed to be to remind us of how

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‘15’ is a wide classification category with films at the lower end often having little in common with those at the higher end

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dangerous and unglamorous is the sort of lifestyle shown in the film.

A quite different film containing strong violence was the horror remake *The Hitcher*, in which a psychotic hitchhiker terrorized a young couple. Although the eponymous Hitcher appeared to have almost superhuman powers, the film posited a real world scenario, was entirely lacking in humour, and contained a strong degree of sadism. Two scenes – one in which blood pumped at some length from the wound of a dying man and another in which blood sprayed from a man whose throat had been fatally cut – fitted the Guideline description of ‘the strongest gory images’ and as such ‘unlikely to be acceptable’ at ‘15’. The distributor wanted a ‘15’ classification and so opted to remove the focus on sadism and copious bloodshed in the wake of wounds in both sequences to secure a ‘15’ classification.

30 Days of Night, in which the inhabitants of an isolated Alaskan town are attacked by a horde of vampires, was rated ‘15’ for cinema release. Bloody violence was the main issue, as the citizens of Barrow were slaughtered by the

vampires and the humans fought back. The Board did receive letters questioning the rating, and when the work came in for DVD release it was reconsidered and the rating raised to ‘18’.

Quite removed from this level of violence and horror was the film *Disturbia*, a loose reworking of Hitchcock’s classic thriller *Rear Window*, in which a teenage boy under house arrest witnesses what he believes to be a murder by a sinister neighbour. The violence in *Disturbia* lacked any strong detail. But it was tone – the sense of the level, extent and nature of the threat facing the boy (Kale) and his mother in a contemporary suburban environment – that made the film ‘15’. *Disturbia* expertly used sound effects, music and lighting to manipulate the audience’s emotions and instil a real sense of fear and dread. An attack on Kale’s mother in the second half of the film raised the tension to high levels with no respite and lasted almost to the end of the film. This strong sense of threat meant that a ‘12A’ certificate was not realistic and ‘15’ – albeit at the lower end – was more appropriate.

Similar considerations of tone determined the category of another remake, the Will Smith vehicle *I Am Legend*, in which most of the human race has been killed or turned into flesh eating zombies by a virus. The makers of the film consciously avoided any ‘dwelling on detail’ or ‘emphasis on injuries or blood’ and many of the scenes could individually have been regarded as ‘sustained moderate threat’, which is permitted at ‘12A’ under BBFC Guidelines. However, it was impossible to ignore the cumulative effect of the various frightening sequences which generated considerable tension, threat and menace. Furthermore, the film had a plausible real world

scenario and involved recognisably human characters. It was also quite bleak. These factors reduced the level of reassurance and separated ***I Am Legend*** from more obviously fantastical works. The BBFC concluded, therefore, that passing this dark, scary and unsettling work at less than '15' would be inappropriate.

Die Hard 4.0 was the latest instalment in the popular action series starring Bruce Willis as a policeman having to save the world from yet another terrorist threat. In common with other instalments in the series, violence was among the key classification issues. Although there was arguably no single moment that was unprecedented at '12A', the sheer frequency and intensity of the violence, which occasionally displayed a certain degree of relish, had a determining effect on the film's classification. The accumulation of various moments of intense and occasionally brutal violence gave the film an overall feeling of dwelling on violence that sat uneasily below '15'. It was the accumulation of violent moments that distinguished ***Die Hard 4.0*** from earlier films such as ***Casino Royale*** and ***Firewall*** (both '12A') which contained similar, though less frequent, moments.

300 is an adaptation of Frank Miller's graphic novel about the famous battle between 300 Spartan troops (led by Leonidas) and the Persian army (led by Xerxes). Once again, violence was one of the key classification issues. Although there was frequent strong violence during the battle scenes (featuring impaling, limb-lopping, decapitation and blood spurts) it was highly stylised and unreal, with washed out colours and obvious CGI backdrops, at times looking like a



» Thelma and Louise

computer game. The stronger moments of violence and gore were also comparatively fleeting and the film was more about the excitement of seeing the Spartans hack their way through the Persian lines than it was about dwelling on the infliction of pain or injuries. Unlike the previous Frank Miller film adaptation, ***Sin City***, there was no real sense of sadism, perversity or relish in ***300***. So '15', rather than '18', was considered the most appropriate classification.

Sometimes a distributor will add material to the DVD version of a film which was not present in its theatrical release. This was the case with the superhero film ***Ghost Rider***, in which Nicholas Cage plays the tormented Johnny Blaze who is forced to work as a bounty hunter for the Devil. ***Ghost Rider*** was passed '12A' on its theatrical release, after reductions were made to the sequence in which Johnny transforms into the 'Ghost Rider' for the first time. For the film's DVD release the distributors reinstated the cut material, in particular shots of the skin on Johnny's face breaking and falling away. These more detailed and gory shots added significantly to the intensity





and horror of the sequence and necessitated an increase in category from '12A' to '15'.

As in previous years, language was an issue in 2007, with use of very strong language – the word 'cunt' – being a determining classification factor in a number of films. The BBFC's '15' Guidelines on language state that 'the strongest terms (eg 'cunt') will be acceptable only where justified by context. Continued aggressive use of the strongest language is unlikely to be acceptable'.

Kenneth Branagh's remake of *Sleuth* contained three uses of 'cunt'. None of the uses was especially aggressively delivered or linked to violence. All the uses were justified by context in that they were designed to put the audience on guard about the motivations and future actions of the two main characters, Wyke and Tindle, as they verbally fenced with each other.

Joe Wright's version of Ian McEwan's acclaimed novel *Atonement* featured six typewritten uses of the word 'cunt'. These were integral to the development of the narrative by triggering key events of the film. And although the audience has to know that the word has been used, it is not especially dwelt upon. The word's appearance onscreen was not extended beyond what was necessary to make the narrative point. The use was not aggressive but crudely (and sexually) descriptive and was not written in order to offend. The fact that all the uses were written rather than spoken also made a significant difference in terms of offensive impact. Furthermore, the use of 'cunt' was flagged as completely unacceptable and the film most pointedly did not promote, endorse or normalise the word.

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As in previous years, language was an issue in 2007

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While very strong language may cause offence to viewers, the BBFC also considers quite specific issues of harm at the '15' category. One of these issues in 2007 was suicide. When presented with depictions of suicide in films the BBFC must decide whether its treatment is suitable for mid teens, who can be a vulnerable group in relation to self harm or suicide.

Wristcutters – A Love Story was an off-beat fantasy film about a strange afterlife reserved for those who have committed suicide. The most significant classification issue was whether or not the film romanticised suicide to an extent that would render the film harmful to mid teens. After much consideration, the BBFC concluded that the film's take on suicide was more quirky than romantic. While the film suggested that there was some kind of limbo/afterlife following suicide, which might be seen on one level as reassuring, the film made it clear that this state of being was even more unsatisfactory and undesirable than life. The film was at pains to stress what characters lost as a result of committing suicide. Its ultimate message was that, regardless of one's problems in life, it was far better to attempt to resolve them than commit suicide in a misguided attempt to escape them. On top of this, the film's depiction of the afterlife was extremely implausible, unreal and fantastical and no 15–17 year old was likely to take it literally. So, the BBFC concluded that





»» Breakfast at Tiffany's

the adult category was not required and that **Wristcutters - A Love Story** presented no problem at '15'.

Danny Boyle's sci-fi film **Sunshine** also touched very briefly on suicide or apparent suicide. In this film a group of scientists were sent into space on a mission to save the Earth by restarting the dying Sun using a giant bomb. At one point in the film we see what looks like a suicide when one of the scientists is found slumped, covered in blood, with slashes up his arm, and clearly dead. This sort of visual detail might, in another context, put a film up to the adult category. If the film was not a sci-fi thriller but a drama about vulnerable teens who are contemplating suicide, then anything less than '18' might be inappropriate. But **Sunshine** was not about suicide or suicidal behaviour. It did not involve characters with whom a teenage audience was likely to identify. Nor did it indicate, through verbal references or visual detail, that how the man died was an effective method of suicide. So

the adult category was not required in this case. Drugs are also an issue facing mid teens. Drug use was a feature of several films aimed at this age group in 2007. The BBFC's Guidelines at '15' state that 'drug taking may be shown but the film as a whole must not promote or encourage drug misuse'.

Things We Lost in the Fire was a drama about a drug addict who moves in with his best friend's widow and her family. The film contained detail of heroin preparation and use. This might in certain circumstances have put the film to '18'. However, here the heroin use was immediately followed by highly aversive withdrawal, and the film as a whole had a very clear anti-drug message, enabling it to be contained at '15'.

Wash It Up!, a low budget drama about a girl who dreams of making it big in the music business, contained a scene in which two men relish the making and smoking of a joint. The BBFC considered this scene carefully because there was some potential glamorisation of marijuana which was accompanied by a montage of music effects, a haze of exhaled smoke, and much smiling and palpable enjoyment. No negative messages were immediately associated with this behaviour.

However, this was just one scene in a wider work. Indeed, in the context of the film as a whole, the scene's potency was lost in the general m el e of other action and the unconvincing realisation of the piece. Furthermore, the messages of the film (the themes of music and ambition, the values of sticking together, working hard and not forgetting your roots) were far more likely to resonate with audiences than this one moment of soft drug use.



» A Matter of Life and Death

Sex is a perennial issue at '15' in films. 2007 was no exception. The BBFC's Guidelines at '15' state that 'sexual activity may be portrayed but without strong detail. There may be strong verbal references to sexual behaviour'.

The main classification issue in the German language drama ***Das Leben Der Anderen*** lay in a couple of sex scenes, and one in particular in which a main character, the secret police officer Wiesler, has sex with a prostitute. This depiction of cold, functional sex contained a certain degree of female nudity and occurred within a rather sleazy context. In the absence of other classification issues to take the work into the '15' category, the

BBFC considered that the portrayal of sex in this scene was likely to confound audience expectations at '12A' and, given the work's lack of appeal to a younger audience, the more restrictive '15' category seemed both appropriate and reasonable.

The Heartbreak Kid was a gross-out comedy with sex again being the defining classification issue. One scene, in the context of a freak show, showed a donkey with an erect penis bent over a woman, about to penetrate her from behind. The BBFC had concerns about whether such an image, depicting implied bestiality, would be acceptable to the broad range of public opinion at anything less than '18'. The distributor wanted a '15' and so chose to cover up the donkey's erection with a black rectangle on screen. Removing the erection made a considerable difference to the level of offence the scene was likely to cause and so the BBFC was able to pass the cut version of the film at '15'.

Sex can also be an issue in shorter works, including advertisements. Because audiences have no idea what advertisements or trailers they are going to see they can sometimes have their expectations confounded. ***Steamy Windows*** was a drink drive advertisement for theatrical release which showed a woman in a car apparently moaning in sexual ecstasy. After some time it becomes clear that she is in fact dying after a car crash. The BBFC considered that the conflation of sex with a serious message, combined with the sheer length of the apparent sexual arousal, was both confusing and offensive, particularly in an unbidden context. As a consequence the advertisement was classified '15' rather than the less restrictive '12A'.



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Because audiences have no idea what advertisements or trailers they are going to see they can sometimes have their expectations confounded

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Legal issues may arise in what may otherwise be a straightforward '15' classification. The 2002 Spanish comedy *800 Balas* was one such example. This film was for the most part a non-contentious '15' for violence, nudity and sex. However one scene in particular raised a potential issue under The Protection of Children Act 1978. This scene showed the character of Carlos (a 12 year old boy) being gently cajoled into caressing and fondling the breast of a prostitute. The actor in question was clearly a minor at the time of filming. The scene was an innocent, comical and touching illustration of a young boy's immaturity and lack of sexual awareness. However, context bears little weight in considerations of the Act. So the question the BBFC had to consider was whether the scene may have constituted an indecent image of a child under The Protection of Children Act. For an image to be indecent there must be a sexual connotation. On the basis of legal advice, the BBFC's Presidential Team concluded that the scene lacked this connotation. The BBFC was therefore able to pass *800 Balas* uncut at '15'.



» Mon Oncle





'18' – suitable only for adults



➔ The Texas Chain Saw Massacre

While concerns about the suitability of a particular scene or work at the lower classification levels can usually be dealt with by giving the work a higher category, at '18' the only option may be to cut or even reject the work. Guidelines for the '18' category therefore reflect a desire to balance concerns about protecting the rights to freedom of expression with the need to protect vulnerable individuals, and wider society, from the possible harmful effects of some film and video material. This position corresponds with the legal framework within which we operate; taking into account the Human Rights Act 1998, the Video Recordings Act 1984 (VRA), the Obscene Publications Act 1959 (OPA), and other legislation (see Legal Issues). A number of pieces of research carried out by the Board suggest strong public support for a policy which allows adults to decide for themselves what to watch. On occasion there are exceptions to that principle, but we try to keep these to a minimum.

Since its amendment in 1994, the VRA has placed a duty on the Board to have 'special regard (among the other relevant factors) to any harm that may be caused to potential viewers or, through their behaviour, to society by the manner in which the [video] work deals with: criminal behaviour; illegal drugs; violent behaviour or incidents; horrific behaviour or incidents; or human sexual activity'. During 2007, the BBFC has continued to give 'special regard' to harm issues, using classification at '18' where appropriate and cutting or rejecting material where necessary.

The Board operates on the assumption that adults are far less likely to copy dangerous activity than children but recognises that the potential for harm through imitation does not necessarily disappear

completely with age. BBFC Guidelines for '18' allow for intervention where there is any detailed portrayal of violent or dangerous acts which are likely to promote the activities.

At the adult category the Board is far less concerned about stunts which are clearly potentially harmful or difficult to replicate. But the concern remains where activities are less obviously dangerous or are presented in a manner which suggests they are easily imitated. Concern is further increased when the activity appears to be fun or when, regardless of the certificate, there is clear underage appeal. In such cases the BBFC may require the addition of warning captions or, in extreme cases, cuts.

The reality film genre was barely noticeable in the cinemas or on DVD in 2007, after the fleeting resurgence of the previous year. The well-known **Jackass** franchise continued its appeal with **Jackass 2.5**, a DVD containing extra footage not previously seen in the **Jackass** film sequel. This work contained sight of vomiting and defecation. It was felt that the work presented images that would confound public expectation at '15', but that the content otherwise was quite similar to previous **Jackass** works at '18', and it was thus classified at the adult category.

The BBFC Guidelines relating to dangerous acts at '18' explicitly include illegal drug use. Any detailed portrayal of illegal drug use which is likely to promote or glamorise the activity may be cut, even at '18'. However the Board recognises that filmmakers may seek to credibly represent illegal drug use, reflecting the existence of illegal drugs in the real world. But the Board remains conscious that illegal drugs are a serious social

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A number of pieces of research carried out by the Board suggest strong public support for a policy which allows adults to decide for themselves what to watch

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concern, and classifies upwards or cuts as appropriate. The Board will not censor material which merely depicts widely known drug taking procedures for adult audiences, provided such depictions are not promoting the activity. Current policy in this area reflects up to date expert advice and the current level of knowledge about drugs.

The only video work that was rejected in 2007 was refused classification because of the manner in which it presented drugs. **Weeds – Season 2 – Cream of the Crop – DVD Extra** was a five minute DVD extra for the US TV show, **Weeds**. Further details can be found in the Rejects section of this Report.

At '18' the Board did not cut any portrayals of drug use. However drug use was a defining classification issue in the horror film **Shrooms**. The film featured a group of American teenagers travelling to Ireland in order to take magic mushrooms. As a result of this they suffer horrific visions and apparent attacks by ghostly creatures.

Visual and verbal references to drug taking were strong and frequent and included a detailed listing of the characteristics of a 'magic mushroom' experience. However, the film neither promoted nor glamorised the activity as principal characters' drug experiences had a nightmarish quality and deadly consequences as fantasy and reality became confused.

On DVD, *Evil Bong* was a spoof horror film about a water pipe possessed by evil spirits that terrorise drug users. Although there was some endorsement of soft drugs, the film did not promote drug use as the feckless characters become even greater failures once possessed and the film sends up rather than endorses soft drug users in a manner that appropriately recommended '18' uncut.

Heroin Test Show & Tell was a DVD add-on for the '18' classified *American Gangster* and featured a property master and New York Police Department technical consultant demonstrating

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Contemporary film makers largely treat the theme or depiction of sexual violence with gravity and discretion

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and commenting on two different heroin tests for the purpose of allowing the film's director to decide which would best suit his film. There was no drug use nor was there any suggestion that

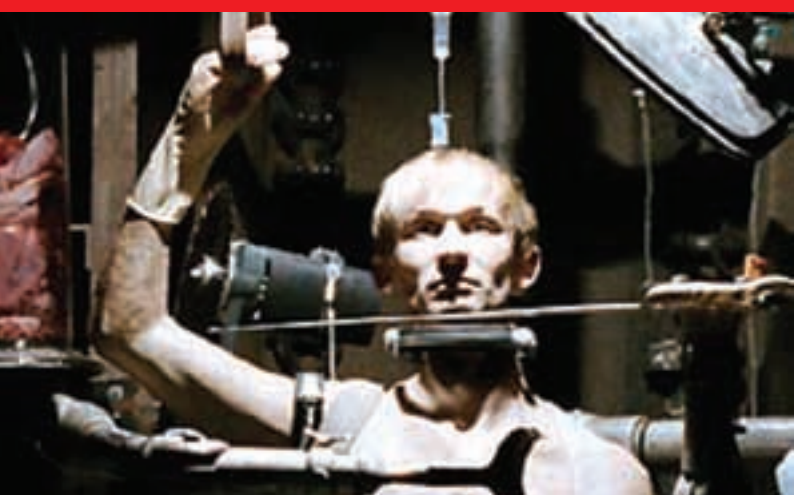


► In the Mood for Love

any of the men were considering using the substance in what was clearly a demonstration for the purpose of shooting a scene realistically. The film *American Gangster* contained scenes of characters using drugs, including injecting heroin, but this did not present novel detail and was not likely to promote or, indeed, glamorize the activity. It did however contribute to the film being given an '18' classification.

Sexual violence is a problematic, though often legitimate, subject for exploration on film and is classified progressively through the categories, from discreet and oblique references to lengthy or more detailed scenes. Contemporary filmmakers largely treat the theme or depiction of sexual violence with sensitivity and discretion, so intervention, other than that provided by the classification system is comparatively rare, although this remains one of the subjects over which the Board exercises the greatest vigilance.

In line with the duties laid out under the VRA, the BBFC takes a carefully researched and balanced approach to the depiction of sexual violence at the higher categories. This is consistent with accepted media effects and psychological





research and public opinion. In line with that research, scenes or narratives which depict sexual violence as sexually arousing, or which suggest that the subjects enjoy or deserve the sexual assault are of particular concern, even at the '18' category.

The study *Where Do You Draw the Line?* by Dr Guy Cumberbatch (2002) (available on the BBFC website) showed that only one third of regular video viewers and renters felt that adults had a right to see graphic portrayals of sexual violence. This figure compares with two thirds endorsing the right to view graphic sex and three quarters endorsing the same for graphic violence. The study suggests that the acceptability and availability of an individual scene of strong sexual violence is not accepted as the norm but is heavily dependant on the nature, tone, narrative and other contexts of the work.

No films submitted to the BBFC in 2007 were cut to remove scenes of sexual violence. *The Book of Revelation*, an Australian film about the effect on a male dancer of being kidnapped and repeatedly assaulted by three women, was passed '18' uncut on both film and DVD, as was a Taiwanese art house film, *The Wayward Cloud*, a surreal musical polemic. This film featured a protracted sexual assault of an unconscious woman as part of the shooting of a 'pornographic' film. In neither case was the sexual violence endorsed.

Material cut from works before the introduction of current Guidelines can, in some cases, be restored when these works are resubmitted, where the previously cut material is acceptable by current standards. In 2007, formerly cut scenes



» Training Day

John Waters' film *Female Trouble* was passed uncut at '18', as was the 1975 exploitation horror film *Torso – Carnal Violence*. The 1986 French exploitation film *Dressage*, the Japanese Samurai exploitation trilogy *Hanzo the Razor*, and *Sidney Sheldon's Bloodline* were also passed without cuts. The 1970s erotic film *Emmanuelle* had been subjected to varying cuts in the past before being submitted again for DVD release. It was given much consideration before it was judged that in the full context of an uncut classification it was clearer that there was no endorsement of the 'rape myth'. It was consequently passed '18' without cuts.

However, not all previously cut material can be restored. The Italian feature *Venus in Furs* was cut in both 1971 and 1993. The 1993 cuts were to a long scene of a rape and a scene where a pre-teen boy watches a couple having sex through a keyhole. As the boy was never present in the same place as the scene of sex, this material could be restored. But the rape scene was felt to endorse 'rape myth' attitudes and cuts were still required to remove this material.



➤ A Clockwork Orange

The 'media effects' argument relating to harm is less convincing in the case of violence that is not linked to sex and this is reflected in the BBFC's treatment of non-sexual violence at '18'. The Board remains confident that the differentiation in its treatment between sexual and non-sexual violence is justified by the available evidence, and research undertaken to inform the BBFC Guidelines shows that the general public supports this position. In accordance with BBFC Guidelines, therefore, cuts to non-sexual violence are likely only when the violence portrayed is very detailed and likely to encourage the activity. As in the previous year, no works were cut purely on the grounds of violence in 2007, the award of an '18' classification being deemed sufficient and proportionate to safeguard against any potential harm.

Rise of the Footsoldier was one such film that received an '18' for violence. Set in the criminal underworld of Essex and the East End of London, it includes scenes of torture, brutal gangland executions and gruesome post-mortem images.

Mr. Brooks, a dark thriller about a man with a murderous alter ego, is another film that was taken to '18' because of very strong violence that includes gory injury detail and prolific bloodshed.

In the case of the Japanese 'animé' feature ***Afro Samurai*** the fact that the work was animated was not sufficient mitigation to pass it below the adult category. It contained very strong, bloody violence, including dismemberment and mutilation of bodies.

At the end of 2007 the Board considered the cinema release of ***Sweeney Todd – The Demon Barber of Fleet Street*** with Johnny Depp in the title role. Despite the wide appeal of Tim Burton and Johnny Depp features, the several throat cuttings and the accompanying arterial blood spurts were too graphic and gory for anything less than the '18' which the film received.

The Board does not intervene in horror films simply because these films might alarm or shock, as the likely audience chooses to watch such films

because they enjoy being frightened. However the Board does ensure the young and vulnerable are protected, meaning works featuring strong sadistic or sexual elements that dwell on the infliction of pain or injury are likely to be classified '18'. At '18', horror works will probably contain the strongest gory images that are unacceptable at '15'. Other '18' indicators may also include a greater likelihood of being rooted in the real world rather than a fantastical universe, horror played straight with little or no irony or the sexual terrorisation of women.

In 2007, a number of horror films for cinema release were classified '18'. ***Planet Terror*** was one half of the film ***Grindhouse***, and was initially released as a stand-alone feature. Although much of the violence was directed at zombies, it also contained a number of scenes of strong violence showing humans being mutilated and murdered. ***All the Boys Love Mandy Lane*** imitated the style of 1980s 'stalk and slash' horror films as a group of teenagers were murdered in turn by an initially unknown killer. Unlike ***Planet Terror*** the violence and terrorisation lacked irony and the film was rooted in a real world context. The strong bloody violence and very strong language were only allowable at '18'.

Occasional very strong bloody violence, some of which featured a sadistic edge, meant that '18' was the only possible category for the horror film sequels ***Hostel Part II*** and ***Saw IV***. However, like the previous films in their series this was likely to be a known quantity to the majority of self-selecting viewers. Similar torture themed horror films included ***Captivity***, ***Paradise Lost***, ***Waz*** and ***I Know Who Killed Me***, and the strong horror and gore, coupled with bloody violence, also meant that '18' was the only appropriate category.

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The Board does not intervene in horror films simply because these films might alarm or shock

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Remakes and sequels to notable genre works helped populate the '18' classification with horror, including ***Halloween***, ***28 Weeks Later***, ***Diary of the Dead***, and ***The Hills Have Eyes II***, the latter film also containing sexual violence that reinforced the adult certificate. The prequel ***Hannibal Rising*** depicted the origins of fictional serial killer Hannibal Lecter. Similarly, strong bloody violence meant that this was inappropriate at any category below '18'.

While the majority of '18' horror films came from the US, the French film ***Frontière(s) – Frontiers(s)*** also required restriction to the adult classification. Scenes dwelling on the terrorisation of victims and the infliction of pain and injury precluded the possibility of a '15'.

On DVD a number of horror films and some genre documentaries were submitted for classification and received an '18'. Once again, some of these submissions were films made in the 1970s and 1980s which were considered to have cult appeal. ***Brain Damage***, ***Torso – Carnal Violence***, ***Re-Animator*** and ***Rosemary's Killer*** had previously required cuts for '18'. But their power to shock or appal had diminished to the extent that they were now permissible at '18' without

cuts. However, **The New York Ripper** still transgressed the Board's sexual violence policy meaning that similar compulsory cuts to those made on video in 2002 were again required.

Some distinctive foreign language horror films were also classified '18'. The French film **Sheitan** saw a group of young people finding their festive season taking an unpleasant turn in an intentionally shocking feature. **Grimm Love** was a German film that took as its inspiration the real life case of a man who advertised online for someone who would like to be killed and eaten by him. The strong horror, violence and references to cannibalism within this sinister context meant that this was only permissible at '18'. **H6: Diario de un Asesino – H6: Diary of a Serial Killer** was a Spanish film about an unreformed killer resuming his murderous lifestyle following his release from jail, and the strong sadistic edge to the gory slayings took this to '18'.

The Great American Snuff Film, a low-budget US film about the abduction and murder of two young women, was intentionally dispassionate, but did not encourage the viewer to perceive the strong bloody violence as pleasurable or exciting. **Broken** was a low-budget British film about a woman who is kidnapped by a man and held in a forest where, in order to find out the fate of her young daughter and survive, she endures various horrific trials. Like the **Saw** series of films, the torture-themed violence was often strong and bloody and ruled out any classification below '18'.

Given the appearance of many older horror works with cult appeal on DVD, it is not surprising to find these works being assessed or documented.

Midnight Movies – From the Margin to Mainstream was a documentary about the US

midnight movie phenomenon of the 1970s.

Going to Pieces – The Rise and Fall of the Slasher Film was a history of the 'stalk and slash' horror film subgenre. Both films extracted some of the stronger scenes from horror films to illustrate their thesis. Although these scenes were explored and deconstructed to some extent, the lack of original context meant that the impact of the stronger bloody violence was still enough to require an '18'. **Grindhouse Trailer Classics** was a compilation of trailers promoting horror and exploitation films from the 1960s and 1970s which was prefaced by a documentary explaining their place in pop culture history. Although some of the trailers were still intentionally offensive, the strong violence, gore, as well as sex and nudity, were the issues that took the collection to '18'.

During the past year only a small number of South Asian films were given an '18' classification. This was mostly on the grounds that the films contained a level of violence that was deemed

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When it comes to sex in films for adults, explicit images of real sex should be confined to the 'R18' category unless such images can be exceptionally justified by their context

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both strong and bloody. The previously established trend of shifting from the ever popular Bollywood love story formula towards different Hollywood style genres continued during 2007, though the level of violence in most of these films was not problematic at the adult category.

Only three Hindi language films were passed '18' in the last year, one for cinema release and two for DVD release. The film **Big Brother** was passed '18' on film and DVD for strong violence and a vigilantism theme. The film promoted the idea that choosing the path of violence against the negative elements of society is justified. The strong visuals and problematic vigilante hero angle meant that the '18' was the most appropriate category.

On DVD the gritty crime thriller **Black Friday** was passed '18' for scenes of strong violence in the Mumbai underworld. **Ghutan** was a feature for DVD that toyed with Hollywood's horror conventions and the strong element of torture and threat in the story aggravated the strong violence and resulted in an '18' classification.

Amongst the other South Asian works, one Telegu language film, **Athidi**, was given an '18' certificate for cinema release. This film contained unrelenting bloody violence committed by the hero figure in the story.

When it comes to sex in films for adults, it is the Board's policy that explicit images of real sex should be confined to the 'R18' category unless such images can be exceptionally justified by their context. The exceptional contextual justification is available only if the primary purpose of the work is not sexual arousal or stimulation (ie it is not a sex work). The Board's



»»» The Assassination of Jesse James by the Coward Robert Ford

position is informed by both research and public reaction to classification decisions.

Unlike the previous year the policy in this area was hardly tested in 2007. However **Garçon Stupide**, a French language film containing occasional images of real sex, was passed at '18'. The Board concluded that the explicit sexual activity was integral to the narrative and that there were no grounds for depriving adults of the opportunity to choose to view the work.

Sex works given an '18' classification may only show simulated sexual activity, or activity that appears to be simulated. Any clearly un-simulated sex must be removed from a work for an '18' rating. Otherwise the work must be rated 'R18', the category reserved for real images of un-simulated sex. As in previous years, the majority of cuts to '18' sex works were to remove sexual detail on these grounds.

In addition to simulated sex, some mild fetish material may be passed at '18', for example mild sadomasochist role-play. However where such material has the potential to encourage harmful imitation amongst the uninitiated or potential

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The classification of films at '18' for very strong expletives in the last year was based on public expectations of language in films at the '18' category

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underage viewers, it is likely to require the more restrictive 'R18' classification. Where there is potential for harm, cuts are likely at either category. The feature *The Black Order Cometh* was a work which mixed some documentary elements with sadomasochistic fetish scenarios. Because it also included harmful images of arm cutting, cuts were required before it could be passed '18'.

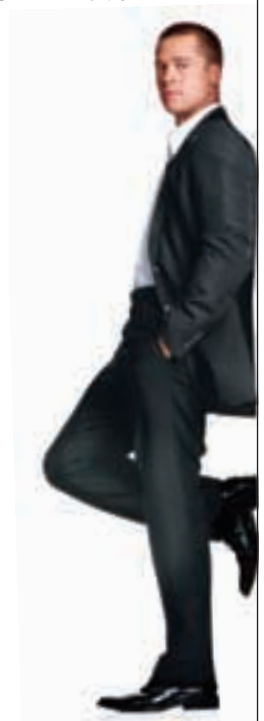


» Mr & Mrs Smith

The BBFC continues to pass occasional explicit imagery at '18' in 'sex education' works. Such imagery is only passed if it is considered the minimum necessary to illustrate the educational or instructional points being made, and if it occurs within a work which genuinely and manifestly seeks to inform and educate.

Although no mainstream feature film was passed '18' on the grounds of language alone in the past year, the provocative British hooligan drama *Rise of the Footsoldier* contained '18' level uses of very strong language which were highlighted in the film's Consumer Advice. Similarly, the Irish film *In Bruges* contained eleven uses of very strong language thus confirming an '18' classification.

The classification of films at '18' for very strong expletives in the last year was based on public expectations of language in films at the '18' category.







'R18' – to be supplied only in licensed sex shops to adults of not less than 18 years



→ Casablanca

The 'R18' category is a special and legally restricted classification primarily for explicit works of consenting sex between adults. Films may only be shown to adults in specially licensed cinemas, and DVDs may only be supplied in licensed sex shops which are open only to adults over 18. 'R18' videos may not be supplied by mail order.

Following a trend of recent years, the number of explicit pornographic videos submitted to the Board dropped slightly in 2007, yet the proportion of these works subject to cuts grew. This proportion (27 per cent) remains the highest of any category. This reflects the Board's strict policies on material which combines sexual detail with activity which is illegal, harmful, abusive, or involves a lack of consent or the infliction of pain or injury.

Cut material in 2007 once again commonly consisted of abusive and potentially harmful activity (for example, choking and gagging during deep throat fellatio). Cuts were also made to underage sex references in line with research mentioned in last year's Annual Report. The BBFC continues to cut material in accordance with current interpretation of the Obscene Publications Acts 1959 and 1964, which includes sexualised urination and penetration with extremely large dildos. Aside from OPA considerations, the BBFC does not allow penetration with objects likely to cause actual harm, or objects associated with violence at 'R18'. In 2007 the Board drew on its internal expertise to clarify this area of policy. Last year's Annual Report outlined an expert consultation into violence and abuse in 'R18' sex works; the results of this research can now be found on the Board's website.



Video games and associated media submissions dropped slightly in 2007 at 254 works. Video games only have to come to the BBFC for classification if they lose their exemption under the terms of the Video Recordings Act, either because they contain certain material including strong violence, sex, or useful criminal techniques, or linear material – that is video footage. The majority of games are subject to a voluntary self assessment rating system operated through the Pan European Game Information (PEGI) organisation.

Three computer game magazine discs were cut in order to meet the publisher's category requests for a '15'. Two discs contained a **Manhunt 2** trailer which were removed because of the strong violence that was not considered appropriate for the '15' category. The third disc contained a trailer for **The Darkness** where the strong horror, violence and gore were also considered to be beyond the limits of the '15' category. A full game, **Earache Extreme Metal Racing**, had strong language cuts made in order to meet a requested '12' category.

Whilst none of the above works caused any particular concern or controversy, the same cannot be said of the game **Manhunt 2**. Details of the Board's rejection of the game in its various forms, and the subsequent appeal by the distributor, Rockstar, against the Board's decision can be found in the Video Appeals Committee section of this Report.

The game also raised concerns outside the UK, with the American Entertainment Software Rating

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During 2007 BBFC games examiners were proactive in communicating with and understanding the needs of the industry better

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» Scarface





Board (ESRB) awarding the game an AO (Adults Only) rating – an effective ban, as most major retailers in the USA will not stock AO rated games. The game was also rejected in Ireland and not distributed in Europe following intervention by, amongst others, the Italian Minister of Communications. A toned down version of the game eventually obtained an M (Mature) rating in the USA.

External events

During 2007 BBFC games examiners were proactive in communicating with and understanding the needs of the industry better. To this end, examiners attended a number of events, including a major games exhibition in Leipzig and, closer to home, the Nottingham 'Gamecity' exhibition and the Edinburgh Interactive Festival. Examiners were invited to speak at a number of academic events such as the 'Women in Games' forum held in Newport. In addition, the Board took part in the London Games Festival and hosted an event in our premises where industry members came to gain an insight into how the BBFC classifies games. The last major event of 2007 was a joint BBFC/PEGI Coders Conference presentation to the industry in London where both regulators took the opportunity to explain their role in the regulation of video games and the processes involved in attaining a rating. This well attended event is likely to become a regular feature and has proved a valuable forum for regulator and industry alike. A more personalised approach is planned in 2008 when games examiners will undertake a series of presentations, based on the Coders Conference, to individual publishers and developers.



Films or DVDs, or digital media which contain unlawful or potentially harmful material will, where possible, be cut. If this is not possible because, for instance, the cuts are so extensive that a viable release cannot be salvaged from the remaining material, or if the distributor refuses to make the required cuts, then a work may be refused a classification altogether. In 2007 the Board rejected only one DVD work, as well as the video game, *Manhunt 2* (see *Video Appeals Committee*).

Weeds – Season 2 – Cream of the Crop – DVD Extra was the only video work rejected by the Board. It was a five minute DVD extra for the US TV show, *Weeds*. It consisted of a segment, filmed in the style of a cookery programme, in which a member of the cast introduces his top five varieties of marijuana. He extols the virtues of each variety and encourages viewers to obtain and use marijuana. Although it was accepted that the work is played with a certain degree of knowing humour, it is clear that the lack of any other content or context means that the likely effect of the work, taken as a whole, is to promote and encourage the use of illegal drugs. Given the singular focus of this short work, cuts were not a viable option and the work had to be rejected.



» The Terminator



The Board is required to have regard to several pieces of legislation that can affect the classification of submitted works. The Human Rights Act of 1998 requires the Board to consider, among other things, the requirement that a filmmaker's freedom of expression is not infringed by its decisions. However, that requirement is modified where something has been 'prescribed by law' or where it is 'necessary in a democratic society' or for the 'protection of health and morals' or the 'prevention of crime and disorder'. If the BBFC does intervene in a work, that intervention must be 'proportionate' to the breach concerned.

The Video Recordings Act of 1984 (VRA) requires the Board to pay special regard to material that could be said to cause 'harm' to its potential audience. The specific subjects that the VRA requires the Board to consider are criminal, violent, or horrific behaviour, illegal drugs and human sexual activity.

If a work is deemed to be obscene under the Obscene Publications Acts of 1959 and 1964, then the Board must also intervene. A work will be considered to be obscene if it has a tendency to 'deprave and corrupt' a significant proportion of the audience likely to see it.

The Protection of Children Act 1978 (POCA) makes it a criminal offence to exploit children by making indecent photographs or pseudo-photographs of them, and penalises the distribution, showing and advertisement of those items. POCA considers that anyone under the age of 18 is a child. The BBFC has always refused to classify works that feature indecent images of children, although it is often a difficult decision to reach; the task is not helped by the lack of

definition of the term 'indecent'. The Board has sought legal advice on the meaning of this term and returns to lawyers where necessary on a case by case basis.

The Lovers' Guide 3 – Better Orgasms

conflated images of a young teenage girl with those of an older woman masturbating and included a sequence of a young girl brushing her hair with a voice-over describing sexual arousal in teenagers. After consideration, it was decided that the images were not indecent and the work, which was matter-of-fact in its presentation, was passed uncut. The Australian drama ***Tan Lines*** featured sex scenes involving a young male actor whose age was indeterminate. However, because there was a lack of detail in the scene, it was not considered a breach of POCA.

The Cinematograph Films (Animals) Act 1937 prohibits the exhibition of a film if any scene within it has been 'organised or directed' in such a way to involve the cruel infliction of pain or terror on any animal, or the cruel goading to fury of any animal. The word 'animal' is defined as any domestic animal (tame or sufficiently tamed to serve some purpose for the use of man) or any vertebrate which is in captivity or confinement. It is the Board's policy to apply the Act equally to film and DVD submissions.

The film ***Nin Nin*** was cut to remove sight of a horsefall, where a horse is tripped to fall over in a fashion that has been deemed by veterinary experts to be cruel. The Jess Franco film ***99 Women*** was cut to remove sight of a woman cutting, hacking and stabbing at a snake, including sight of the snake slithering away with a part of its body gouged.



The Video Appeals Committee (VAC) is an independent body constituted under Section 4(3) of the Video Recordings Act 1984 (VRA) to hear appeals from submitting companies against any BBFC decisions they consider stricter than warranted. One appeal was heard in 2007, the first since 2005 and only the eighteenth appeal hearing concerning a BBFC decision since the introduction of the VRA. This appeal was lodged by Rockstar Inc against the decision to reject the video game *Manhunt 2*.

In the view of the Board, the game has an unremitting bleakness and callousness of tone in an overall game context which constantly encourages visceral killing with exceptionally little alleviation or distancing. It is a game wholly devoted to stalking and killing human characters in a modern urban environment. In order to progress, the game player must kill almost every character encountered. Many of these killings are 'sneak attacks' in which the character controlled by the game player hides in shadows until his victim's back is turned, then creeps up behind him and attacks with one of a large variety of weapons available to him. Killing in such a fashion maintains the character's health, whereas fighting face to face depletes the character's health and risks failure to complete the level. There is sustained and cumulative casual sadism in the way in which these killings are committed, and encouraged, in the game.

Of particular concern to the Board is the game's unrelenting focus on stalking and brutal slaying and the sheer lack of alternative pleasures on offer to the gamer. There is no significant objective other than killing and the only significant

variety in the game play involves making use of the full range of weaponry, including: syringes, pens, shards of glass, knives, axes, saws, a bottle (both unbroken and broken), a mace, baseball bat with barbed wire, spades, pliers, plastic bags, garden shears, a circular saw, prod, night stick, hand drill, sickle, flare gun, hand gun, sniper rifle, Uzi machine gun, shotgun, toilet cistern lid, iron maiden, electric chair, meat hooks and an industrial compactor. Each weapon produces its own unique set of 'kill images', encouraging players to seek out the most brutal and graphic kill possible.



►►► Once Upon a Time in America

Against this background, the Board's carefully considered view was that to issue a certificate to ***Manhunt 2*** would involve a range of unjustifiable harm risks, to both adults and minors, within the terms of the VRA, and accordingly that its availability, even if statutorily confined to adults, would be unacceptable to the public.

The VAC upheld the appeal but its written judgement suggested that its decision may have resulted from at least one serious misdirection in relation to the legal interpretation of 'harm' in the VRA. The BBFC therefore sought and was granted a judicial review. At a hearing on 24 January 2008, Mr Justice Mitting ruled in favour of the BBFC and ordered the VAC to reconsider its decision. The reconsideration hearing took place on 11 March 2008 and the outcome was that the appeal was upheld by a majority of four to three. In the light of legal advice the Board did not believe that the VAC's judgement provided a realistic basis for a further challenge to its decision and accordingly issued an '18' certificate.

At the end of 2007 the full membership of the VAC was as follows:

President

John Wood CB

Solicitor; former Director of the Serious Fraud Office; former Director of Public Prosecutions in Hong Kong; former Special Counsel to Morgan Lewis Bokius

Members

Nina Bawden

CBE, MA, FRSL, JP, novelist; President, Society of Women Writers and Journalists

Biddy Baxter

MBE, DLitt, FRSA, FRTS, FTCL, Governor of Trinity London and Advisory Board Member, Victim Support; Chair, The John Hosier Music Trust; former editor Blue Peter, BBC Television and consultant to the Director General of the BBC; author and broadcaster

Barry Davies

BA, MPhil, DMA, DMS, RSW, MBASW
Former Deputy Director of Social Services, Chair of Area Child Protection Committee; child protection trainer; independent investigator of complaints made by or on behalf of children and young people known to social services; Chair of Independent Complaints Review Panels, Chair of All Wales Primary Care Child Protection Trainers Group; Associate Consultant for *Children in Wales*; professional adviser to the Ombudsman on matters relating to safeguarding children

Pauline Gray

District Chairman of the Tribunals Service; member of the Gender Recognition Panel



Professor John Last

CBE, DLitt, Former lay member of the Press Council; lay member of Bar Standards Board; Chair, Bute Communications, Cardiff; Chair, Dernier Group, Merseyside; Master, Barber Surgeons Livery, City of London 2005/6; visiting professor, City University

Dr Sara Levene

MA, MRCP, FRCPCH, paediatric safety consultant; medical qualified panel member of the Appeals Service; former medical advisor to the Foundation for the Study of Infant Deaths and to the Child Accident Prevention Trust

Haydon Luke

Former secondary headteacher and inspector; education consultant and trainer, working in the fields of secondary education and education in and through museums and galleries

Dr Neville March Hunnings

Lawyer; former member of the Lord Chancellor's Advisory Committee on Legal Education and Conduct; editor of the Encyclopaedia of European Union Law; author of *Film Censors and the Law*

Robert Moore

BSc (Econ), Dip.App.Soc.St., CQSW; independent consultant in social care; former Director of Social Services and one-time Children's Officer; Chairman of the Northern Ireland Children in Need Appeals Advisory Committee

The Hon. Mrs Sara Morrison

FIC, FCGI, FRSA, Vice President Emeritus WWF International and UK; formerly full time director of large industrial plc; many non-executive directorships including Channel Four TV

Claire Rayner

OBE, author; broadcaster; health campaigner

Peter Rees

Cert.Ed, Dip.Ed, Dip.Psych MA, MCMI, retired primary headteacher; independent education management consultant; associate lecturer at the University of Winchester; Chair of Holloway School Governing Body; Chair, Carroll Children's Centre Partnership Board; Member, Islington BSF Strategic Partnership Board; Marital and Relationship therapist; Personal Counsellor and Life Coach in private practice

Dr Mike Slade

Consultant clinical psychologist; clinical senior lecturer at Institute of Psychiatry, London; Associate Fellow of the British Psychological Society

Professor Fay Weldon

CBE, MA, DLitt, FRSL; novelist; playwright; broadcaster



»» Walk the Line

The Consultative Council has been advising the Board for over 20 years. The Council meets three times a year and the membership is made up of representatives from the video, broadcasting, record and leisure software industries; local government and persons of individual distinction, as well as observers from the Department for Culture, Media and Sport (DCMS), the Metropolitan Police and Ofcom.

Director's reports and discussions

These meetings enable the Director to keep the industry representatives who attend informed about work levels, which affect the timeliness with which works are classified, policy issues and controversial cases. At the February meeting the Director reported that there was a downturn in submissions without any clear reason. By the June meeting it was clear that, although the number of submissions was down on the previous year, the works were longer, due probably to submissions moving from video to DVD, which can contain more material. This resulted in income being on budget. At the October meeting it was reported that film submissions would end the year up on 2006.

At February's meeting progress on the BBFC's voluntary online classification system was presented by the Head of Policy. This led to a general discussion of content labelling. At the June and October meetings progress reports on BBFC Online continued to be very positive with the film industry very keen to 'sign up' to the pilot. The introduction of Extended Classification Information for cinema films was announced at the June meeting. This appears on the BBFC's main

website, and provides detailed information about the content of films and how that influenced the classification decision. At October's meeting the soft launch of the website for parents was announced as well as the latest position on the rejection of both versions of the video game **Manhunt 2**.

Film screenings and discussions

The practice of showing a recently classified film which had raised classification issues, or which had generated adverse comment, continued in 2007. The wide range of backgrounds and experience of the Council members provides a valuable input into the Board's considerations on the more difficult classification decisions. The three films watched in 2007 were **The Illusionist**, **Disturbia** and **The Brave One**.

It is usually a film from the higher end of the categories which is seen by the Consultative Council with the Advisory Panel on Children's Viewing seeing films at the junior categories, but Council members attending the February meeting saw **The Illusionist**, which was rated 'PG'. The meeting discussed the appropriateness of the rating as it was generally considered as being unlikely to appeal to young children. The Director explained that while a 'U' or 'PG' rating usually signalled a film for children, films dealing with adult themes, which contained no classification issues to take them into a higher category, would be rated 'U' or 'PG', provided the themes were dealt with appropriately.

Disturbia, the film shown before the June meeting had come in for classification with a request from the distributor for a '12A' rating. However, it had been considered too frightening







► Pulp Fiction

for 12–14 year olds and been given a '15' rating. The distributor had succeeded in persuading the American classification body, the MPAA, to reduce the R rating to a PG13 and had pressed the Board to change the rating, but had been unsuccessful. The meeting discussed the merits of both categories and agreed that the '15' was more appropriate.

October's film was the revenge drama ***The Brave One***, starring Jodie Foster. This film had been submitted with a '15' request, but the Board had rated it '18' because of the theme. The Board was concerned that the message that violent revenge was an acceptable response to personal violence was problematic for a young teen audience. Some Council members disagreed. The Board had also been concerned about the filming on a mobile phone of the attack on Foster and her fiancé. At the end of the discussion the majority view was in agreement with the '18' rating.

Membership of the Consultative Council in 2007

Phil Archer, *Family Online Safety Institute (FOSI)*

Kim Bayley, *Entertainment Retailers Association (ERA)*

Lavinia Carey, *British Video Association (BVA)*

Jeff Ford, *Channel 4 Television*

Laurie Hall, *Video Standards Council (VSC)*

Cllr Jim Hunter, *Convention of Scottish Local Authorities (COSLA)*

Steve Jenkins, *BBC*

Cllr Peter Kent, *Local Government Association (LGA)*

Cllr Morris T Mills, *Northern Ireland Local Government Association (NILGA)*

Cllr Goronwy O Parry MBE, *Welsh Local Government Association (WLGA)*

David Simpson, Chair, Advisory Panel on Children's Viewing (ex officio)

John Woodward, UK Film Council

Independent members

Professor Anthony Beech

Professor David Buckingham

Professor Colin Munro

Colin Webb

Observers

Inspector Andrew Shortland, Metropolitan Police

Hugh Dignon, Scottish Executive

Eleanor Hodge, Department for Culture, Media and Sport

Wendy Parker, Department for Culture, Media and Sport

Alison Marsden, Ofcom

The APCV provides the Board with access to a wide range of skills and expertise connected with children. As the bulk of the Board's work involves classifying material for everyone under the age of 18 this is a very valuable resource. Like the Consultative Council, the APCV meets three times a year, but David Simpson, in his capacity as Chairman of the APCV, also sits on the Consultative Council.

Director's reports and discussions

The Board's Education Officer gave a presentation to the March meeting. He was able to provide information about the number of students and teachers who had attended presentations and also the connections being built up with other media education providers. Details of the two websites for young children and media students were warmly welcomed by the Panel as a valuable educational resource for schools and further education establishments. The Director had given a presentation to other film regulators from around the world about the two websites and indicated that the Board was a world leader in this area.

At the June meeting the Panel received a presentation from one of the Board's Senior Examiners about the 'Uc' category – the voluntary category reserved for DVDs suitable for very young children. Use of the category was in decline and the indications were that distributors would be happy to see it disappear. However, the Panel were of the opposite view and thought it should be strengthened and promoted to distributors. Panel members suggested consulting reception class teachers, pre-school nurseries, early learning advisors and those involved in the Government's Sure-Start programme.

Attendees at the June meeting also heard about the latest position on BBFC Online. They were also given details of the Extended Classification Information scheme which had gone 'live' in June.

At the October meeting Panel members were asked for suggestions for areas to be considered in the review of the classification Guidelines. These included: violence, because of the perceived increase in the use of violence by young people; what social changes had taken place since the last review in 2004 which directly affected children and young people; and how being different was treated in films in terms of bigotry and racism, sexuality, disability and mental health.

Film screenings and discussions

Like the Consultative Council, the APCV watched a film which had raised specific classification issues before each of the meetings. Despite being the Advisory Panel on Children's Viewing all three films seen by the APCV in 2007 were rated '18'. The film that the Panel watched before the March meeting was the documentary, *The Bridge*. When classifying the work the main issue was whether the theme of suicide – people jumping off the Golden Gate Bridge in San Francisco – and its treatment, was more appropriate at '15' or '18'. The Panel includes clinical psychologists and psychiatrists and the Board was keen to have their views on how young people might react to the film. The meeting discussed whether the filmmaker's methods were exploitative and whether the film 'posed any danger' to people with suicidal feelings. There was some disagreement about which age group was most at risk and whether the '18' rating would protect potentially vulnerable people. It was agreed that the film was not





appropriate at '15' because of the lack of hope it offered.

The film seen before the July meeting also raised the question of whether it was more appropriate at '15' or '18'. ***This is England*** had been rated '18' because of the racist violence in one scene in particular. The rating had resulted in some criticism of the Board from people who believed that the film had much relevance for young teenagers. The meeting discussed the racist language used in the film. Some Panel members felt that the lack of narrative resolution would be problematic for 15 year olds, while others thought that this simply reflected life and teenagers would understand that. However, the majority view was that the ambiguity of the film's overall message meant that it was more appropriate at '18'.

The film shown before the November meeting was ***Princess***, another borderline '15'/'18' decision. The film was an animated, subtitled film from Denmark dealing with pornography and prostitution, child sexual abuse and violence and revenge. The Guidelines state that no topic is taboo at any category, depending on its treatment. The lack of visual detail and the animation meant that a '15' rating had been seriously considered. The final '18' decision was based on the treatment of the extremely complex issues covered in the film.

The Panel discussed the use of animation and real action and how it affected the audiences' reaction to the film. Some Panel members thought that 15 and 16 year olds would have been able to deal with the issues raised, while others were firmly of the belief that the '18' rating was more appropriate. Some Panel members thought that the film would be useful for young teenagers to watch in an

educational setting where the issues could be discussed. Given the confusing and mixed messages given out by the film, it was agreed that the '18' rating was appropriate.

Membership of the APCV in 2007

David Simpson

Youth Court District Judge (Chair)

William Atkinson

Head Teacher

Professor Vince Egan

Chartered Clinical and Forensic Psychologist

Joe Godwin

Head of Children's Entertainment, BBC

Dr Sue Krasner

Chartered Clinical Psychologist

Frances Lennox

Senior Crown Prosecutor

Naomi Rich

Executive Producer, Illumina Digital

Dr Denise Riordan

Consultant Child and Adolescent Psychiatrist

Professor Jack Sanger

Visiting Professor, University of East Anglia and Innsbruck University

Dr Bill Young

Consultant Child and Adolescent Psychiatrist





President

Sir Quentin Thomas, CB

Vice Presidents

Janet Lewis-Jones

Lord Taylor of Warwick

Council of Management

Chairman

Graham Lee

Vice Chairman

Steve Jaggs

Treasurer

John Millard

Members

Michael Cox

John Holton

William McMahon MBE

Ewart Needham

Sylvia Sheridan OBE

John Wilson OBE

Director

David Cooke

Head of Process

Dave Barrett

Head of Communications

Sue Clark

Head of Technology

David Harding

Head of Policy and Business Development

Peter Johnson

Financial Controller

Imtiaz Osman

Principal activities

The company, which is limited by guarantee, is responsible for the classification of cinema films and, in accordance with the terms of the Video Recordings Act 1984, for the classification of video works. Its revenue is derived principally from fees charged to distributors for the classification of their product.

Business review

Apart from a small increase in Film works, submissions of all other works continued to decline during the year resulting in a net reduction of 7 per cent in volume. The revised Tariff of Fees, which was implemented in January 2007, offset the effect of the reduction in volume. The decline in submission of digital works is expected to continue as distributors have completed mining most of their back catalogue. The Board will continue to monitor submission levels and assess resource requirements.

The surplus recorded for the year is higher than budgeted due to the delay in implementing the Digital Archive. This was due to protracted contractual negotiations. The Board is, however, pleased to confirm that the contract was eventually signed in December and a lease has been acquired for a facility in Bracknell from where the project will operate. The initial capital outlay will be £2m to cover set up costs, purchase of equipment and project running costs in 2008. The project is estimated to cost £3m over a five year period.

The Board is in discussions with members of the Industry regarding classification of online content. A working group, made up of representatives from the Board and Distributors, has been set up to

consider the various issues involved. A pilot study has also been commissioned and a decision is expected later this year.

The Board continues to engage professional advisers to assess and advise on the potential impact on its premises during the construction and operation of Crossrail.

Directors

The Directors of the company are the Members of the Council of Management together with the President.

Directors' responsibilities

Company law requires the Directors to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the company and of the surplus or deficit of the company for that period. In preparing those financial statements, the Directors are required to:

- Select suitable accounting policies and then apply them consistently;
- Make judgements and estimates that are reasonable and prudent;
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The Directors are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the company and which enable them

to ensure that the financial statements comply with the Companies Act 1985. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Corporate Governance

The Directors continue to give careful consideration to, and have adopted the main principles of, corporate governance as set out in the Code of Best Practice of the Committee of the Financial Aspects of Corporate Governance (the Cadbury Report). However it is the opinion of the Directors that not all the provisions of the Cadbury Report are appropriate for a company of the size and structure of the British Board of Film Classification.

Financial instruments

The company's financial instruments at the balance sheet date comprised bank loans, cash and liquid resources. The company has various other financial instruments such as trade debtors and trade creditors that arise directly from its operations.

It is, and has been throughout the period under review, the company's policy that no trading in financial instruments shall be undertaken.

Interest rate risk

The company has no interest rate exposure as all the long term debt is at fixed rate.

Liquidity risk

The company had significant net cash balances as at the balance sheet date.

Foreign currency risk

The company's risk to foreign exchange transactions does not arise as all the company's financial instruments are denominated in Sterling.

Financial assets

The company has no financial assets other than short-term debtors and cash at bank.

Borrowing facilities

As at 31 December 2007, the company had undrawn committed borrowing facilities of £176,000 (2006 - £354,000).

Environment, Health and Safety

The company is firmly committed to managing its activities so as to provide the highest level of protection to the environment and to safeguard the health and safety of its employees, customers and the community.

The company's Environment, Health and Safety (EHS) policies provide the guiding principles that ensure high standards are achieved and afford a means of promoting continuous improvement based on careful risk assessment and comprehensive EHS management systems. These policies are reviewed at regular intervals. This work has given greater emphasis to formal management systems, which bring a systematic improvement in performance.

Transfers to reserves

The retained surplus for the year of £819,917 has been transferred to reserves.

Fixed assets

Information relating to changes in the tangible fixed assets is given in note 8 to the financial statements.

Donations

During the year the company made charitable donations totalling £151,200 (2006 - £100,000).

**Statement as to disclosure
of information to auditors**

So far as the directors are aware, there is no relevant audit information (as defined by Section 234ZA of the Companies Act 1985) of which the company's auditors are unaware, and each director has taken all the steps that he or she ought to have taken as a director in order to make himself or herself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

Auditors

The auditors, Wilkins Kennedy, will be proposed for re-appointment in accordance with Section 385 of the Companies Act 1985.

By order of the Board

DAL Cooke
Secretary

3 Soho Square,
London, W1D 3HD.

12th March 2008

111 **Independent Auditors' Report to the Members of British Board of Film Classification**

We have audited the financial statements of British Board of Film Classification for the year ended 31st December 2007 which comprise the Income and Expenditure Account, the Balance Sheet, the Cash Flow Statement and the Related Notes numbered 1 to 18. These financial statements have been prepared under the accounting policies set out therein.

This report is made solely to the company's members as a body in accordance with Section 235 of the Companies Act 1985. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body for our audit work for this report or for the opinions we have formed.

Respective responsibilities of the Directors and Auditors

As described in the statement of Directors' responsibilities the company's Directors are responsible for the preparation of the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice). Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Companies Act 1985. We also report to you if, in

our opinion, the Directors' Report is consistent with the financial statements.

In addition, we report to you if, in our opinion, the company has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, or if information specified by law regarding Directors' remuneration and other transactions with the company is not disclosed.

We read the Directors' Report and consider the implications for our report if we become aware of any apparent misstatements within it.

Basis of audit opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Directors in the preparation of the financial statements, and of whether the accounting policies are appropriate to the company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion:

- the financial statements give a true and fair view, in accordance with United Kingdom Generally Accepted Accounting Practice, of the state of the company's affairs as at 31st December 2007 and of its surplus for the year then ended;
- the financial statements have been properly prepared in accordance with the Companies Act 1985; and
- the information given in the Directors' report is consistent with the financial statements.

Wilkins Kennedy
Chartered Accountants and Registered Auditor,
Bridge House,
London Bridge,
London SE1 9QR

12th March 2008

113 **Income and Expenditure Account** for the year end 31st December 2007

	Note	2007	2006
Turnover	(2)	7,299,570	7,040,415
Operating costs		<u>(6,328,513)</u>	<u>(6,048,493)</u>
Operating surplus	(6)	971,057	991,922
Interest receivable and similar income	(3)	295,131	221,062
Interest payable and similar charges	(4)	(136,114)	(144,051)
Surplus/(deficit) on current asset investments:			
- realised		85,729	22,586
- (increase) in provision for unrealised losses		<u>(34,410)</u>	<u>(2,561)</u>
Surplus on ordinary activities before taxation		1,181,393	1,088,958
Tax on surplus on ordinary activities	(7)	<u>(361,476)</u>	<u>(310,284)</u>
Retained surplus for year	(15)	819,917	778,674
Retained surplus at beginning of year		7,373,510	6,571,585
Transfer from capital reserve	(14)	<u>-</u>	<u>23,251</u>
Retained surplus at end of year		<u>£8,193,427</u>	<u>£7,373,510</u>

Continuing operations

None of the company's activities were acquired or discontinued during the above two financial years.

Total recognised surpluses and deficits

The company has no recognised surpluses or deficits other than the surplus or deficit for the above two financial years.

The accompanying notes are an integral part of these financial statements.

Balance sheet
31st December 2007

	Note	2007	2006
Fixed assets			
Tangible assets	(8)	<u>5,125,060</u>	<u>5,251,776</u>
Current assets			
Deferred tax asset - due after more than one year	(9)	73,460	67,072
Debtors	(10)	826,590	725,591
Investments	(11)	1,742,952	1,649,904
Cash at bank and in hand		<u>4,532,322</u>	<u>3,726,978</u>
		7,175,324	6,169,545
Creditors: amounts falling due within one year	(12)	<u>(1,920,666)</u>	<u>(1,689,079)</u>
Net current assets		<u>5,254,658</u>	<u>4,480,466</u>
Total assets less current liabilities		10,379,718	9,732,242
Creditors: amounts falling due after more than one year	(13)	<u>(2,186,291)</u>	<u>(2,358,732)</u>
Net assets		<u>£8,193,427</u>	<u>£7,373,510</u>
Capital and reserves			
Income and expenditure account		<u>8,193,427</u>	<u>7,373,510</u>
Accumulated funds	(15)	<u>£8,193,427</u>	<u>£7,373,510</u>

Approved by the Board of Directors on 12th March 2008

KG Lee - Chairman

JR Millard - Treasurer

The accompanying notes are an integral part of these financial statements.

**115 Cash flow statement
for the year ended 31st December 2007**

Reconciliation of operating surplus to net cash flow from operating activities			
	Note	2007	2006
Operating surplus		971,057	991,922
Depreciation charges		230,489	170,578
Deficit/(surplus) on sale of tangible fixed assets		36,386	(979)
(Increase) in debtors		(100,999)	(226,317)
Increase in creditors		150,531	155,694
		<hr/>	<hr/>
Net cash inflow from operating activities		£1,287,464	£1,090,898
		<hr/>	<hr/>
Cash flow statement			
		2007	2006
Net cash inflow from operating activities		1,287,464	1,090,898
Return on investments and servicing of finance	(16a)	159,017	79,154
Taxation		(295,887)	(370,812)
Capital expenditure	(16b)	(140,159)	(161,142)
		<hr/>	<hr/>
		1,010,435	638,098
Management of liquid resources	(16c)	41,729	53,376
		<hr/>	<hr/>
Increase in cash		£968,706	£691,474
		<hr/>	<hr/>
Reconciliation of net cash flow to movement in liquid funds			
	(16d)	2007	2006
Increase in cash in the year		968,706	691,474
Increase/(decrease) in current asset investments		93,048	(33,351)
		<hr/>	<hr/>
Change in net liquid funds		1,061,754	658,123
Net liquid funds at beginning of year		2,854,789	2,196,666
		<hr/>	<hr/>
Net liquid funds at end of year		£3,916,543	£2,854,789
		<hr/>	<hr/>

The accompanying notes are an integral part of these financial statements.

1. Accounting policies

The principal accounting policies, which have been consistently applied are:-

a Basis of accounting

The financial statements are prepared under the historical cost convention and in accordance with applicable accounting standards.

b Tangible fixed assets

Tangible fixed assets are stated at original cost. Depreciation is provided at rates calculated to write-off the cost less estimated residual value of each asset on a straight line basis over its estimated useful life as follows:-

Movable furniture and equipment	25% per annum
Computer equipment	33.33% per annum

Long leasehold property is amortised on a straight line basis over the duration of the lease.

Expenditure on leasehold property and immovable furniture and equipment is written off as incurred.

c Current asset investments

Current asset investments are stated at the lower of cost and net realisable value.

d Taxation

The charge for taxation is based on the surplus for the year and takes into account taxation deferred because of timing differences between the treatment of certain items for accounting and taxation purposes.

Provision is made at current rates for tax deferred in respect of all material timing differences.

Deferred tax assets are only recognised to the extent that they are regarded as recoverable.

The company has not adopted a policy of discounting deferred tax assets and liabilities.

e Turnover

Turnover comprises the value of sales (excluding VAT) of services supplied in the normal course of business.

f Leased assets

Rentals applicable to operating leases are recognised in the income and expenditure account as incurred.

g Pensions

The company operates a defined contribution pension scheme to provide retirement benefits for its staff. The amount charged to income and expenditure account in respect of pension costs is the contributions payable and provided in the year.

117 Notes to the financial statements
for the year ended 31st December 2007 (continued)

2. Turnover

The turnover and operating surplus are attributable to the principal activity of the company.
The entire turnover in both periods is attributable to geographical areas within the United Kingdom.

3. Interest receivable and similar income	2007	2006
Bank deposit interest	228,444	160,896
Income from current asset investments	66,687	60,166
	<u>£295,131</u>	<u>£221,062</u>

4. Interest payable and similar charges	2007	2006
Interest on loan repayable after more than 5 years	136,114	£144,051
	<u>136,114</u>	<u>£144,051</u>

5. Employees	2007	2006
Average monthly number of people employed by the company during the year:		
Non-executive Directors	10	10
Presidential Team	3	3
Management	6	6
Administration	12	13
Examination	34	37
Technical	24	23
	<u>89</u>	<u>92</u>

Costs in respect of these employees including Directors:

Salaries	3,889,790	3,692,705
Social security costs	396,013	408,296
Pensions	255,553	300,464
Life assurances	10,995	10,436
	<u>£4,552,351</u>	<u>£4,411,901</u>

Directors' remuneration

The remuneration of the Directors during the year was:

Emoluments	263,075	258,884
Pension contributions in respect of 2 (2006-2) Directors	33,414	29,929
	<u>£296,489</u>	<u>£288,813</u>

Highest paid Director

The above amount for remuneration includes the following in respect of the highest paid Director	<u>£170,620</u>	<u>£166,007</u>
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Notes to the financial statements
for the year ended 31st December 2007 (continued)

6. Operating Surplus	2007	2006
The operating surplus is stated after charging:		
	£	£
Directors' remuneration (including benefits)	296,489	288,813
Depreciation and amounts written off fixed assets	230,489	170,578
Rental of equipment	21,685	25,890
Auditors' remuneration:		
- audit	15,000	14,000
- non audit	9,740	10,224
	<u><u> </u></u>	<u><u> </u></u>
7. Tax on profit on ordinary activities	2007	2006
Reconciliation of tax charge to surplus:		
Surplus on ordinary activities multiplied by standard rate of corporation tax in the UK of 30% (2006 - 30%)	(354,418)	(326,688)
Effects of:		
Expenses not deductible for tax purposes	(13,247)	(2,962)
Investment gains not taxable	15,369	6,776
Depreciation in excess of capital allowances	(37,001)	-
Capital allowances in excess of depreciation	-	3,215
Franked investment income not taxable	16,439	12,081
Other items not taxable	-	293
Marginal relief	4,967	11,355
Adjustment in respect of prior years	-	1,589
	<u> </u>	<u> </u>
	(367,864)	(294,341)
Deferred tax arising from the interaction of depreciation and capital allowances	6,388	(15,943)
	<u> </u>	<u> </u>
Tax on surplus on ordinary activities	£(361,476)	£(310,284)
	<u><u> </u></u>	<u><u> </u></u>

119 Notes to the financial statements
for the year ended 31st December 2007 (continued)

8. Tangible fixed assets

	Long leasehold property	Long leasehold property expenditure	Furniture and equipment	Total
Cost				
At beginning of year	5,180,700	33,558	2,391,365	7,605,623
Additions	-	60,596	79,968	140,564
Disposals and deletions	-	-	(537,890)	(537,890)
	<hr/>	<hr/>	<hr/>	<hr/>
At end of year	5,180,700	94,154	1,933,443	7,208,297
	<hr/>	<hr/>	<hr/>	<hr/>
Depreciation				
At beginning of year	151,968	33,558	2,168,321	2,353,847
Charge for the year	41,446	60,596	128,447	230,489
Disposals and deletions	-	-	(501,099)	(501,099)
	<hr/>	<hr/>	<hr/>	<hr/>
At end of year	193,414	94,154	1,795,669	2,083,237
	<hr/>	<hr/>	<hr/>	<hr/>
Net book value				
At end of year	£4,987,286	£-	£137,774	£5,125,060
	<hr/>	<hr/>	<hr/>	<hr/>
At beginning of year	£5,028,732	£-	£223,044	£5,251,776
	<hr/>	<hr/>	<hr/>	<hr/>

9. Deferred tax asset

	2007	2006
At beginning of year	67,072	83,015
Credited/(charged) to profit and loss account arising from the interaction of depreciation and capital allowances	6,388	(15,943)
	<hr/>	<hr/>
At end of year	£73,460	£67,072
	<hr/>	<hr/>

The deferred tax asset arising on capital deficits carried forward of £87,324 (2006 - £108,500) has not been recognised as the Directors are uncertain that sufficient suitable capital surpluses will exist in the future. Should such surpluses arise, the asset will be recovered.

10. Debtors

	2007	2006
Trade debtors	444,211	330,496
Others	248,145	259,751
Prepayments and accrued income	134,234	135,344
	<hr/>	<hr/>
At end of year	£826,590	£725,591
	<hr/>	<hr/>

Notes to the financial statements
for the year ended 31st December 2007 (continued)

11. Current asset investments - listed	2007	2006
Cost		
At beginning of year	1,703,418	1,734,208
Additions	444,190	100,353
Disposals	(316,732)	(131,143)
	<hr/>	<hr/>
At end of year	1,830,876	1,703,418
	<hr/>	<hr/>
Provision for unrealised deficit		
At beginning of year	(53,514)	(50,953)
(Increase)/decrease in provision	(34,410)	(2,561)
	<hr/>	<hr/>
At end of year	(87,924)	(53,514)
	<hr/>	<hr/>
Cost less provision at end of year	£1,742,952	£1,649,904
	<hr/>	<hr/>
UK listed investments	1,742,952	1,649,904
	<hr/>	<hr/>
Market value of listed investments at end of year	£2,274,092	£2,177,465
	<hr/>	<hr/>
12. Creditors: amounts falling due within one year	2007	2006
Bank loan (secured - see note 13)	172,440	163,361
Trade creditors	324,025	248,063
Corporation tax	365,486	293,509
VAT	213,287	125,436
Other taxation and social security costs	294,395	293,904
Other creditors	365,693	375,647
Accruals and deferred income	185,340	189,159
	<hr/>	<hr/>
	£1,920,666	£1,689,079
	<hr/>	<hr/>

13. Creditors: amounts falling due after more than one year	2007	2006
Bank loan (secured)	<u>£2,186,291</u>	<u>£2,358,732</u>
Due within 1-2 years	182,770	172,452
Due within 2-5 years	613,763	580,489
Due after more than 5 years	<u>1,389,758</u>	<u>1,605,791</u>
	<u>£2,186,291</u>	<u>£2,358,732</u>

The company's bank loan is secured by a fixed legal mortgage over the long leasehold property. The company's bank loan bears a fixed rate of interest of 5.64% and is repayable in quarterly instalments. The final instalment is due for payment on 6th May 2018.

14. Capital reserve	2007	2006
At beginning of year	-	£23,251
Transfer to income and expenditure account	-	(23,251)
	<u>-</u>	<u>(23,251)</u>
At end of year	<u>£-</u>	<u>£-</u>

The capital reserve represented surpluses realised on sales of fixed assets prior to 1984.

15. Reconciliation of movements on accumulated funds	2007	2006
Surplus for the financial year after taxation	819,917	778,674
Accumulated funds at beginning of year	<u>7,373,510</u>	<u>6,594,836</u>
Accumulated funds at end of year	<u>£8,193,427</u>	<u>£7,373,510</u>

16. Cash flow statement	2007	2006
a Return on investments and servicing of finance		
Interest received	228,444	182,525
Income from current asset investments	66,687	40,680
Interest paid	<u>(136,114)</u>	<u>(144,051)</u>
	<u>£159,017</u>	<u>£79,154</u>
b Capital expenditure		
Payments to acquire tangible fixed assets	(140,564)	(162,121)
Receipt from sale of tangible fixed assets	405	979
	<u>£(140,159)</u>	<u>£(161,142)</u>

c Management of liquid resources

Purchase of current asset investments		(444,190)	(100,353)
Sale proceeds of current asset investments		402,461	153,729
		£(41,729)	£53,376

d Analysis of change in net funds	At beginning of year	Cash flows	Other non-cash changes	At end of year
Cash at bank and in hand	3,726,978	805,344	-	4,532,322
Bank loan repayable within one year	(163,361)	(9,079)	-	(172,440)
Bank loan repayable after more than one year	(2,358,732)	172,441	-	(2,186,291)
Current asset investments	1,649,904	41,729	51,319	1,742,952
	£2,854,789	£1,010,435	£51,319	£3,916,543

17. Guarantees and other financial commitments**Pension arrangements**

i The company operates a defined contribution scheme to provide retirement benefits for staff.

ii The total pension charge for the year was £255,553 (2006 - £300,464).

Operating lease commitments

The following operating lease payments are committed to be paid within one year:

	2007 Property	2007 Equipment	2006 Property	2006 Equipment
Expiring: Between one and five years	£27,812	£30,008	£-	£14,988

Capital commitments

Capital commitments which are contracted for but not provided in these financial statements

	2007	2006
	£1,800,845	£-

18. Company status

The company is limited by guarantee and is under the control of its members.

The liability of the members is limited to £1 each, in the event of the company being wound up.

19. Related party transactions

During the year Goodman Derrick LLP, a firm of solicitors in which PLJ Swaffer is a partner, charged £119,136 (2006 - £20,292) for professional services at normal commercial rates.

What is the BBFC?

A highly expert and experienced regulator of the moving image (especially film, video/DVD and video games), and also a service provider for new and developing media.

Why do we do what we do?

The BBFC regulates not just as a statutory designated authority but also because we serve a socially useful function.

Through the efficient classification of the moving image into advisory and age-related categories, the provision of consumer advice and the maintenance of our archive:

- we give the public information that empowers them to make appropriate viewing decisions for themselves and those in their care. We help to protect vulnerable viewers and society from the effects of viewing potentially harmful or unsuitable content while respecting adult freedom of choice.
- we provide media industries with the security and confidence of cost-effective, publicly trusted regulation and help to protect providers of moving image content from inadvertent breaches of UK law.
- we are able to assist Trading Standards officers in their enforcement role

How do we operate?

We are open and accountable. As an independent, self-financing regulator, we are mindful of our unique position and proud of the trust that our expertise and integrity have built with the industry and public.

We are passionate about the moving image and balance our duty to protect with a respect for the right to freedom of expression.

We acknowledge and reflect the cultural diversity of the UK, and anticipate and embrace change.

Throughout the BBFC, we value and respect the needs of stakeholders, promoting team work and long term commitment for all staff in an atmosphere of support and co-operation.

What do we intend to do over the next five years?

Through investment in the BBFC's physical and human resources, especially the experience and expertise of staff, we will:

- continue to regulate film, video/DVD and video games in a manner which maintains the support and confidence of the industry and the public
- embrace technological change and opportunities in new media
- respond to changing social attitudes
- enhance our standing as a centre of excellence in regulation
- actively promote the BBFC as a valuable social resource
- lead and innovate in media education and research
- develop new partnerships

This will ensure that the BBFC approaches its 2012 centenary as an independent and trusted resource; a high profile key brand that instils confidence across a range of media; a healthy cultural presence; and an enjoyable, inclusive and dynamic place to work.



